# TEXAS TRANSPORTATION COMMISSION MINUTE ORDER

VARIOUS Counties VARIOUS Districts

The Texas Transportation Commission (commission) of the State of Texas (state) has found in order to promote the public safety, to facilitate the safety and movement of traffic and to preserve the financial investment of the public in its highways, public necessity requires the laying out, opening, constructing, reconstructing, maintaining, and operating of the following highways in the state as a part of the State Highway System (highway system).

The commission has found and determined that each of the following listed parcels of land, same being more particularly described in the exhibits attached hereto, and such additional lesser estates or property interests described thereon, are necessary or convenient for use for such purposes and it is necessary to acquire fee simple title to said land, as provided by Texas Transportation Code, Subchapter D, Chapter 203, Sections 203.051, 203.052, and 203.054, as a part of the highway system to be constructed, reconstructed, maintained and operated thereon.

The commission has found in order to promote the public safety, to facilitate the safety and movement of traffic, to preserve the financial investment of the public in its highways and reconstructing, maintaining, and operating of Controlled Access Highways in the state as a part of the highway system at such locations as are necessary throughout the state and has determined that each of the following listed parcels of land, described in those Exhibits designated, identified and listed by an alphabetical exhibit reference under "CONTROLLED ACCESS" and same being more particularly described in the exhibits attached hereto and such additional lesser estates or property interests described thereon, are necessary and suitable for use for such purposes and it is necessary to acquire fee simple title to said land, as provided by law, as a part of the highway system to be so constructed, reconstructed, maintained, and operated thereon and in the exercise of the police power of the state for the preservation of human life and safety, and under existing laws, the highway to be constructed on each such parcel of land is designated as a Controlled Access Highway, and on such parcels of land listed herein where there is remaining abutting private property, roads are to be built as a part of said highway whereby the right of ingress and egress to or from the remaining private property abutting on said highway is to be permitted and/or denied, as designated and set forth on each of the exhibits attached hereto.

The commission, through its duly authorized representatives, has attempted to negotiate with the owner(s) of the parcels of land described in the attached exhibits and has been unable to agree with such owner(s) as to the fair cash market value thereof and damages, if any, or after diligent search of available records, numerous inquiries, and actual visits to the location of said parcels of land has been unable to locate the owner(s) of same so as to enter into negotiations for the purchase of said parcels of land.

IT IS THEREFORE ORDERED that the executive director is hereby authorized and directed to transmit this request of the commission to the attorney general to file or cause to be filed against all owners, lienholders and any owners of any other interests in said parcels of land, proceedings in eminent domain to acquire in the name of and on behalf of the state, for said purposes, fee simple title to each such parcel of land as are more particularly described in each of the exhibits attached hereto and made a part hereof, and such additional lesser estates or property interests as are more fully described in each of said exhibits, save and excepting, oil, gas and sulphur, as provided by law, to wit:

# TEXAS TRANSPORTATION COMMISSION MINUTE ORDER

#### NON-CONTROLLED ACCESS

EXHIBIT	COUNTY	HIGHWAY	ROW CSJ NO.	PARCEL
1	Brazos	SH 21	0117-02-031	3
2	Tarrant	SH 199	0171-04-051	412E
3	Brazos	FM 2154	0504-04-056	27
4	Live Oak	US 59	0542-07-011	17&17E
5	Live Oak	US 59	0542-07-011	20
6	Harris	Gulf Bank Road	8003-12-008	105B
7	Harris	Gulf Bank Road	8003-12-008	112A
8	Harris	Gulf Bank Road	8003-12-008	112B
9	Harris	Gulf Bank Road	8003-12-008	170A
10	Harris	Gulf Bank Road	8003-12-003	210B

### CONTROLLED ACCESS

EXHIBIT	COUNTY	HIGHWAY	ROW CSJ NO.	PARCEL
Α	Hidalgo	US 83	0039-17-144	1
В	Hidalgo	US 83	0039-17-144	74
C	Falls	SH 6	0049-04-059	6
D	Webb	Loop 20	0086-14-037	1Pt.1,2,3&4
E	Harris	IH 10	0271-07 <b>-</b> 260	714
${f F}$	Harris	IH 10	0271-07-260	718
G	Harris	IH 10	0271-07-263	684E
H	Liberty	SH 105	0338-05-025	4
I	Liberty	SH 105	0338-05-025	12 Pt.1&2
J	Liberty	SH 105	0338-05-025	15
K	Upshur	US 259	0392-02-072	2/2AC
L	Upshur	US 259	0392-02-072	10
M	Travis	SH 130	0440-06-008	196Pt.1&2
N	Travis	SH 130	0440-06-008	396A
О	Travis	SH 130	0440-06-008	396B
P	Tarrant/Johnson	SH 121	0504-04-002	127Pt.1&2
Q	Dallas	IH 635	2374-01-150	33
R	Dallas	IH 635	2374-01-152	9
S	Dallas	IH 635	2374-01-152	<b>16</b> .
$\mathbf{T}$	Dallas	IH 635	2374-01-152	20
U	Dallas	IH 635	2374-01-152	24
V	Dallas	IH 635	2374-02-115	12
W	Dallas	IH 635	2374-02-115	17
$\mathbf{X}$	Smith	Loop 49	3487-01-011	7 .

Submitted and reviewed by:

Director Right of Way Division

Recommended by:

Executive Director

110493 MAR 3006

Minute Date Number Passed County: Brazos
Parcel No.: 3

Highway: State Highway 21 Limits: From: Democrat Road

To: the Navasota River

**CSJ:** 0117-02-031

#### PROPERTY DESCRIPTION FOR PARCEL 3

DESCRIPTION OF A 1.181 ACRE TRACT OF LAND LOCATED IN THE J. SEALE SURVEY, ABSTRACT No. 214 IN BRAZOS COUNTY, TEXAS, BEING A PORTION OF A CALLED 8.001 ACRE TRACT OF LAND AS DESCRIBED IN DEED TO MORRIS P. ENDLER, ET UX IN VOLUME 1081, PAGE 120 OF THE OFFICIAL PUBLIC RECORDS OF BRAZOS COUNTY, TEXAS, (O.P.R.B.C.TX.), SAID 1.181 ACRE TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY LANDTECH CONSULTANTS, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron rod with a Texas Department of Transportation (TxDOT) aluminum cap set in the proposed southeasterly right-of-way line of State Highway 21 (SH 21), being 128.00 feet right of Survey Baseline Station 1624+51.10, being in the line common to said 8.001 acre tract and a called 114.78 acre tract as described in deed to Lenard Millsap as recorded in Volume 2336, Page 206, O.P.R.B.C.TX. and being the northeasterly corner of the herein described tract and the POINT OF BEGINNING, from which a 5/8-inch iron rod with a TxDOT aluminum cap set for the northeasterly corner of said 8.001 acre tract bears S 47° 50' 04" E, a distance of 845.62 feet;

- 1.) THENCE with said proposed southeasterly right-of-way line of SH 21 and southeasterly line of the herein described tract, S 41° 30' 09" W, a distance of 352.30 feet to a point in the line common to said 8.001 acre tract and a called 4.016 acre tract as described in deed to Feather Crest Farms, Inc. (Containing an underlying Life Estate to Joe Clyde Burt), as recorded in Volume 2489, Page 261, O.P.R.B.C.TX., being 128.00 feet right of Survey Baseline Station 1620+98.80 and being the southeasterly corner of the herein described tract;
- 2.) THENCE with said common line, N 48° 03' 26" W, a distance of 145.88 feet to point in the existing southeasterly right-of-way line of SH 21 as described in deed to the State of Texas in Volume 78, Page 244 of the Deed Records of Brazos County, Texas (D.R.B.C.TX.) and being the southwesterly corner of the herein described tract, from which a 3/8-inch iron rod found bears S 49° E, a distance of 1.5 feet;
- 3.) THENCE with said existing southeasterly right-of-way line of SH 21 and northwesterly line of the herein described tract, N 41° 28' 38" E, a distance of 352.87 feet to the common westerly corner of said 8.001 acre tract and said 114.78 acre tract and being the northwesterly corner of the herein described tract, from which a 1/2-inch iron rod found bears S 48° E, a distance of 2.1 feet and from which a TxDOT Type I found concrete monument bears N 57° E, a distance of 6.0 feet;
- 4.) THENCE with said common line, S 47° 50' 04" E, a distance of 146.04 feet to the POINT OF BEGINNING and containing 1.181 acres of land, more or less.

All bearings are based on the Texas Coordinate System, Central Zone, NAD 83 (93).

# MINUTE ORDER EXHIBIT 1 PAGE 2 OF 5

This property description is accompanied by a separate plat.

I, Scott M. Fertak, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

SCOTT M. FERTAK

Date: 23 day of Ag. 2 , 2004

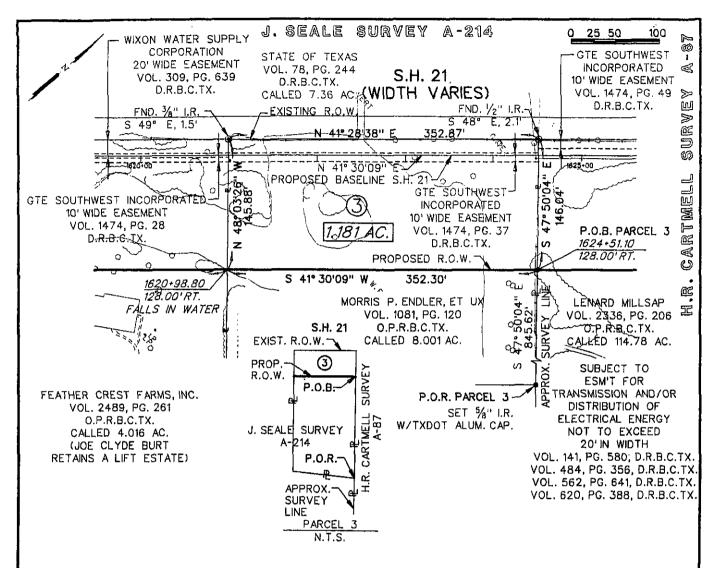
Landtech Consultants, Inc.
2627 North Loop West
Suite 224
Houston, Texas 77008
S:\0320063\Survey\M&B'SDocs\ENDLERM&B.doc

Scott M. Fertak

Registered Professional Land Surveyor

No. 5257 - State of Texas

### MINUTE ORDER EXHIBIT 1 PAGE 3 OF 5



LEGEND				
	Existing R.O.W. Line Proposed R.O.W. Line Property Line Existing Fence			
(N)	Parcel Number			

@ PROPERTY CORNER (FOUND AS NOTED) DIFOUND TXDOT TYPE LCONG, MON.

- SET TXDOT TYPE ILCONG. MON. (UNLESS OTHERWISE NOTED)
- SET 5/8" I.R. W/TXDOT ALUM. CAP

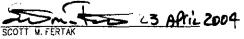
D.R.B.C. - DEED RECORDS BRAZOS COUNTY D.R.M.C. - DEED RECORDS MADISON COUNTY D.P.R.B.C.TX: - OFFICIAL PUBLIC RECORDS
BRAZOS COUNTY TEXAS

ESMT. - EASEMENT
O.H. - OVERHEAD LINE
B.L. - BUILDING LINE
B.D.B. - POINT OF BEGINNING
P.O.B. - POINT OF REFERENCE

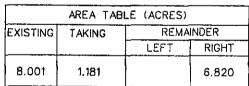
- PUBLIC UTILITY EASEMENT

THEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY.

SURVEY DATE: OCTOBER 23, 2003



REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5257



- 1. Deed research for this project was performed in April, 2003.
- 2. All coordinates and bearings shown hereon are referenced to the Texas Coordinate System, Central Zone, North American Datum of 1983. All distances and coordinates shown hereon are surface feet and may be converted to grid by dividing by the surface adjustment factor of 1,000120.
- 3. Field work for this project was performed May through October, 2003.
- 4. This Right-of-way map was completed in October, 2003.
- 5. Survey line locations are approximate.

PARCEL NO. 3 RIGHT OF WAY PLAT SHOWING PROPERTY OF MORRIS P. ENDLER, ET UX

BRAZOS COUNTY S.H. 21 R.O.W, CSJ 0117-02-031

LANDTECH CONSULTANTS, INC. OCT, 23, 2003

SCALE: 1"-100"

# MINUTE ORDER EXHIBIT 1 PAGE 4 OF 5

SH 21 Brazos County 8017-1-61 CSJ 0117-02-031

Limits: From Democrat Road to the Navasota River

Parcel 3

#### AND IN ADDITION THERETO:

Title to all the contents of the stock pond located partially on the remainder of the herein described parcel, said improvements being bisected by the proposed right of way line, with the result that the portion of said stock pond lying adjacent to the said right of way line would be in such a condition that it could not be adequately reconstructed at such location, plus the temporary right to enter upon the said remaining property for the sole purpose of removing all of the said contents of the stock pond located partially on the remaining property.

### Access Clause

:			

COUNTY: TARRANT HIGHWAY: SH 199
ACCOUNT: 8002-01-67
PARCEL: 412 E

#### AND IN ADDITION THERETO:

An easement for the purpose of opening, constructing and maintaining a permanent channel/drainage easement in, along, upon and across the premises described in the foregoing property description, together with the right and privilege at all times of egress and ingress to and from said premises for the purpose of making any additions, improvements, modifications or repairs which the State deems necessary.

# MINUTE ORDER EXHIBIT 2 PAGE 2 OF 5

Parcel 412E SH199 CSJ: 0171-04-051 11/8/2004

BEING a 9,013 square foot tract of land, out of the J. Wilcox Survey, Abstract No. A-1718 and being a portion of Lot 6W of the Porter Estates Addition, by plat recorded in Volume 388-5, Page 86 of the Plat Records of Tarrant County, Texas, as described in Warranty Deed to Kenneth Leon Short, recorded in Volume 6361, Page 517 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), and being more particularly described as follows:

BEGINNING at a 5/8-inch set iron rod with a red plastic cap stamped "TxDOT" (hereinafter referred to as "with red plastic cap") on the southwest right-of-way line of State Highway 199 (a variable width right-of-way), and being 194.32 feet right of and perpendicular to centerline station 830+74.26 of said State Highway 199, from which a point at the intersection of the northern line of said Short tract and said right-of-way line bears North 46 degrees 27 minutes 05 seconds West, a distance of 94.79 feet;

- (1) THENCE South 46 degrees 27 minutes 05 seconds East, along said right-of-way line, a distance of 84.34 feet to a found 3-1/4-inch aluminum disk stamped "TEXAS DEPARTMENT OF TRANSPORTATION ROW" (hereinafter referred to as "Aluminum disk");
- (2) THENCE South 15 degrees 47 minutes 07 seconds East, continuing along said right-of-way line, a distance of 43.91 feet to a found 3-1/4-inch Aluminum disk on the common line between said Lot 6W and Lot 7W of said Porter Estates Addition, as described in deed to Charles and Margaret Burrows, recorded in Volume 14611, Page 419, D.R.T.C.T.;
- (3) THENCE South 59 degrees 01 minute 43 seconds West, departing said right-of-way line and along said common line, a distance of 112.64 feet to a 5/8-inch set iron rod with a red plastic cap;
- (4) THENCE North 38 degrees 52 minutes 15 seconds West, departing said common line, over and across said Lot 6W, a distance of 38.24 feet to a 5/8-inch set iron rod with red plastic cap;
- (5) THENCE North 28 degrees 37 minutes 02 seconds East, continuing across said Lot 6W, a distance of 115.37 feet to a 5/8-inch set iron rod with red plastic cap;
- (6) THENCE North 15 degrees 51 minutes 29 seconds West, continuing across said Lot 6W, a distance of 28.37 feet to THE POINT OF BEGINNING AND CONTAINING 9,013 square feet or 0.2069 acres of land, more or less.

# MINUTE ORDER EXHIBIT 2 PAGE 3 OF 5

Parcel 412E SH199 CSJ: 0171-04-051 11/8/2004

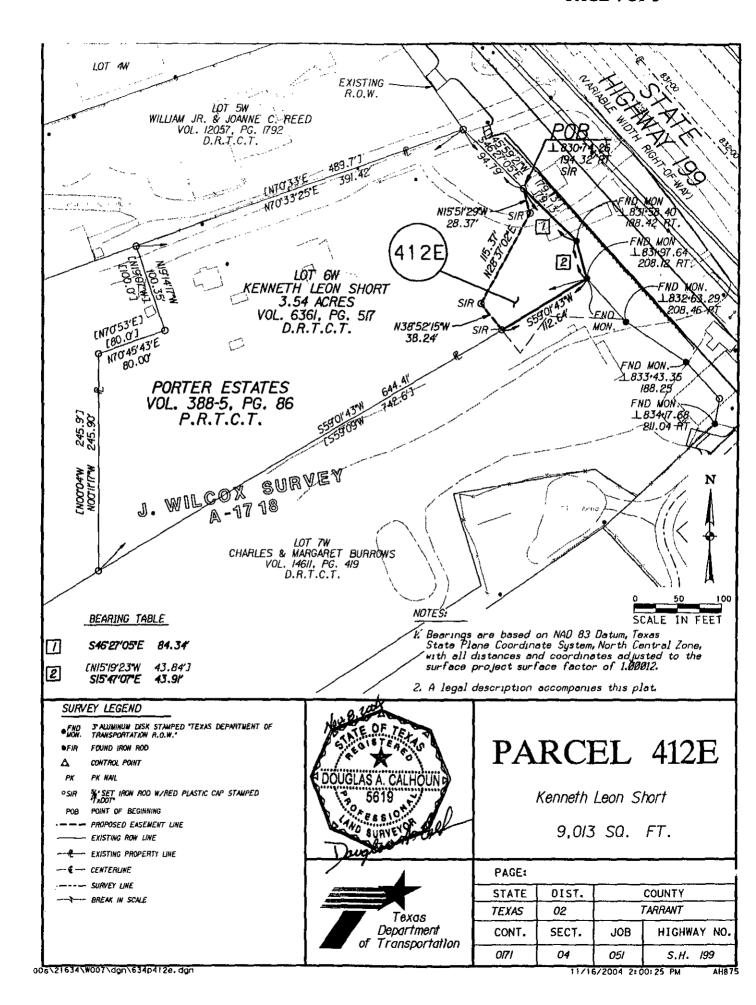
Bearings are based on NAD 83 Datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00012.

A Plat accompanies this Legal Description.

DOUGLAS A. CALHOUND

5619

URVEY



# Access Clause

# MINUTE ORDER EXHIBIT 3 PAGE 1 OF 4

County:

Brazos

Parcel No.:

27

Highway:

FM Highway 2154

Limits:

From: 0.3 Mile North of FM 2818

To: 0.6 Mile South of SH 40

CSJ:

0540-04-056

#### **PROPERTY DESCRIPTION FOR PARCEL 27**

DESCRIPTION OF A 0.40 ACRE TRACT OF LAND LOCATED IN THE ROBERT STEVENSON LEAGUE, ABSTRACT No. 54 IN BRAZOS COUNTY, TEXAS, BEING A PORTION OF A CALLED 11.29 ACRE TRACT OF LAND OF UNIVERSITY INDUSTRIAL CENTER ~ PHASE I, A SUBDIVISION RECORDED IN VOLUME 456, PAGE 249, OF THE DEED RECORDS OF BRAZOS COUNTY, TEXAS (D.R.B.C.TX.), CONVEYED TO OCEANOGRAPHY INTERNATIONAL CORPORATION, AND RECORDED IN VOLUME 449, PAGE 108, D.R.B.C.TX., SAID 0.40 ACRE TRACT, AS SHOWN ON A RIGHT-OF-WAY SKETCH PREPARED BY SAM, INC. FOR THIS PARCEL, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap set in the proposed northeast right-of-way line of F.M. Highway 2154, being 76.37 feet left of Survey Baseline 'G' Station 227+68.60, and being in the common line of said 11.29 acre tract and Lot 1, Block 14 (14.0753 acres per plat) of Edelweiss Estates, Phase Five, a subdivision recorded in Volume 2537, Page 67, D.R.B.C.TX., conveyed to Cottages of Rock Prairie, Limited Partnership (Exhibit "A"), and recorded in Volume 2257, Page 308, of the Official Records of Brazos County, Texas (O.R.B.C.TX.), and being a northwesterly corner of the tract described herein and the POINT OF BEGINNING, from which a 5/8-inch iron rod found in the common line of said 11.29 acre tract and said 14.0753 acre tract bears, N 41° 57' 54" E, a distance of 1169.71 feet;

THENCE through the interior of said 11.29 acre tract, with said proposed northeast right-of-way line, the following two (2) courses and distances:

- 1.) S 39° 59' 50" E, a distance of 371.38 feet to a TxDOT Type II concrete monument set 85.00 feet left of Survey Baseline 'G' Station 231+30.00, being a northeasterly corner of the tract described herein, and
- 2.) S 83° 40' 52" E, a distance of 37.04 feet to a TxDOT Type II concrete monument set 112.89 feet left of Survey Baseline 'G' Station 231+53.57, being in the common line of said 11.29 acre tract and the existing north right-of-way line Graham Road, a 60 foot wide right-of-way, as described in Volume 319, Page 817, D.R.B.C.TX., and being a northeasterly corner of the tract described herein;
- 3.) **THENCE** S 41° 49′ 56″ W, leaving said proposed northeast right-of-way line, with the common line of said 11.29 acre tract and said existing north right-of-way line of Graham Road, a distance of 80.37 feet to a calculated point for the south common corner of said 11.29 acre tract and said north right-of-way line of Graham Road, being in the curving existing northeast right-of-way line of said F.M. Highway 2154 as conveyed to the State of Texas and recorded in Volume 171, Page 181, D.R.B.C.TX., and being the southeasterly corner of the tract described herein;

FN 3047 (trt) 23003B

### MINUTE ORDER EXHIBIT 3 PAGE 2 OF 4

- 4.) THENCE with said curving existing northeast right-of-way line of said F.M. Highway 2154, being the south line of said 11.29 acre tract, with the arc of a curve to the left, a distance of 404.30 feet, through a central angle of 07° 56' 51", having a radius of 2914.79 feet and whose chord bears, N 38° 10' 46" W, a distance of 403.98 feet to a calculated point for the south common corner of said 11.29 acre tract and said 14.0573 acre tract, and being the southwesterly corner of the tract described herein;
- 5.) THENCE N 41° 57' 54" E, leaving said existing northeast right-of-way line of said F.M. Highway 2154, with the common line of said 11.29 acre tract and said 14.0753 acre tract, a distance of 41.57 feet to the POINT OF BEGINNING, and containing 0.40 acre of land, more or less.

All bearings are based on the Texas State Plane Coordinate System, Central Zone, NAD 83 (93).

This property description is accompanied by a separate plat.

THE STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

That I. Robert J. Roy, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas this the 5th day of December 2003 A.D.

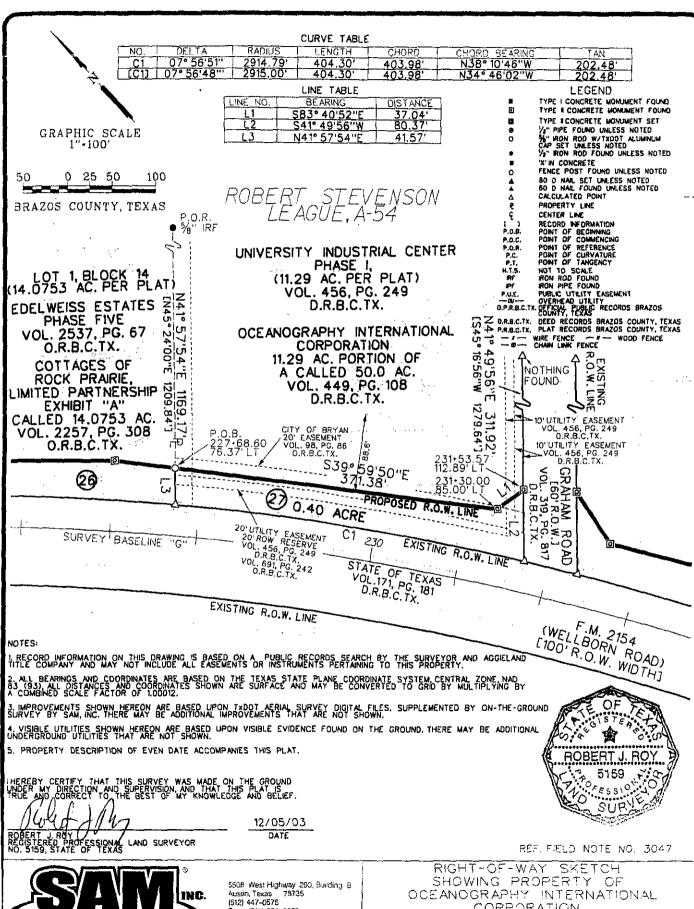
SURVEYING AND MAPPING, Inc. 5508 West Highway 290 Building B Austin, Texas 78735

Robert J. Roy

Registered Professional Land Surveyor

No. 5159 - State of Texas





SURVEYING - AERIAL MAPPING - ENGINEERING

Fax. (512) 326-3029

CORPORATION CSJ NO.0540-04-056 ACCT, NO. 8017-1-63

### **Access Clause**

County: Live Oak Highway: US 59

CCSJ: 0542-07-008 RCSJ: 0542-07-011

Limits: US 281 to the intersection of Bus. US 59

#### **Property Description for Parcel 17**

Being 0.1511 of an acre or 6,582 square feet of land out of Lot 56 of the Washington Heights Addition to the City of George West, recorded in Volume 32, Page 574, Live Oak County Deed Records (L.O.C.D.R.), situated in the Pedro Guana Survey, Abstract No. 193, Live Oak County, Texas; said 0.1511 of an acre tract also being out of a 4.513 acre (calculated area) tract of land conveyed by a correction deed dated February 24, 2005 from Roy E. Hammit to Mitchell Williams, recorded in Volume 25, Page 699, Live Oak County Official Records (L.O.C.O.R.); metes and bounds description of said 0.1511 of an acre tract is as follows:

**COMMENCING** at a point (from which a found one inch iron pipe bears South 35° 36' West, 2.60 feet) at the intersection of the existing northwest right of way line of Lamar Street (50 feet wide) and the existing northeast right of way line of San Antonio Street (50 feet wide per Volume 2, Page 18, Live Oak County Map Records) for the south corner of said Lot 56; **Thence** as follows:

North 36° 10' 38" West, along the existing northeast right of way line of said San Antonio Street, a distance of 231.81 feet to a Type II concrete monument set for the south end of an existing cutback line for US Highway 59; said point being 109.85 feet right from the existing centerline station 14+56.41;

North 06° 38' 21" East, along said cutback line, a distance of 21.86 feet to a Type II concrete monument set at the intersection of the proposed southeast right of way line of said US Highway 59 for the **POINT OF BEGINNING** of the herein described tract; said point being 95.00 feet right from the existing centerline of said US Highway 59, hereinafter referred to as the "existing centerline" at the existing centerline station 14+72.45;

- 1.) THENCE North 06° 38' 21" East, continuing along said cutback line, a distance of 51.50 feet to point in the existing southeast right of way line of said US Highway 59 for a corner;
- 2.) **THENCE** North 53° 57' 57" East, along the existing southeast right of way line of said US Highway 59, a distance of 190.74 feet to an angle point;

#### Parcel 17 (cont.)

- 3.) THENCE North 49° 33' 36" East, continuing along the existing southeast right of way line of said US Highway 59, a distance of 34.63 feet to a Type II concrete monument set in the proposed southeast right of way line of said US Highway 59 for the most northerly corner of the herein described tract; said point being 75.06 feet right from the existing centerline station 17+35.00;
- 4.) THENCE South 40° 32′ 41″ East, along the proposed southeast right of way line of said US Highway 59, a distance of 19.94 feet to a Type II concrete monument set for the northeasterly corner of the herein described tract; said point being 95.00 feet right from the existing centerline station 17+35.00;
- 5.) THENCE South 49° 27' 19" West, continuing along the proposed southeast right of way line of said US Highway 59, a distance of 262.55 feet to the **POINT OF BEGINNING** and containing 0.1511 of an acre or 6,582 square feet of land.

#### Note:

All bearings are referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 Adjustment.

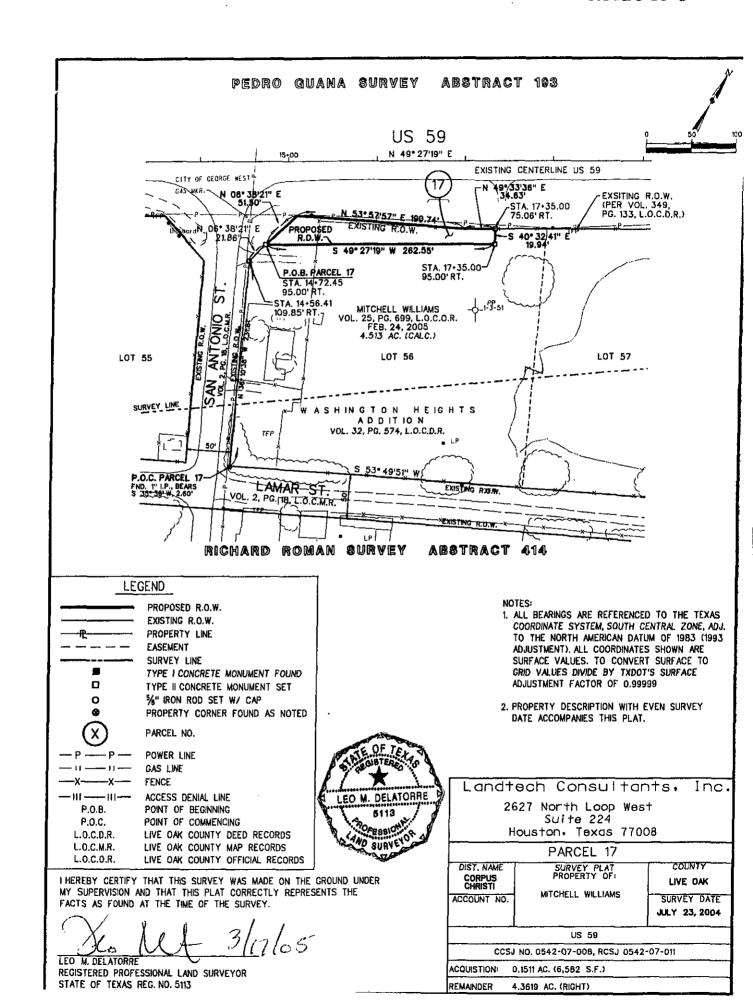
I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Parcel 17" of even survey date herewith accompanies this legal description.

Survey date: July 23, 2004

Leo M. Delatorre D

Registered Professional Land Surveyor

Texas Registration No. 5113



# MINUTE ORDER EXHIBIT 4 PAGE 4 OF 8

County: Live Oak Highway: US 59

CCSJ: 0542-07-008 RCSJ: 0542-07-011

Limits: US 281 to the intersection of BUS. US 59

### **Preamble to Property Description for Parcel 17E**

An easement for the purpose of drainage in, along, upon and across the premises described in the foregoing property description, together with the right and privilege at all times of ingress and egress to and from said premises for the purpose of making any additions, improvements, modifications or repairs which the State deems necessary.

County: Live Oak Highway: US 59

CCSJ: 0542-07-008 RCSJ: 0542-07-011

Limits: US 281 to the intersection of Bus. US 59

### **Property Description for Parcel 17E**

Being 0.2342 of an acre or 10,200 square feet of land out of Lot 56 and 57 of the Washington Heights Addition to the City of George West, recorded in Volume 32, Page 574, Live Oak County Deed Records (L.O.C.D.R.), situated in the Pedro Guana Survey, Abstract No. 193 and the Richard Roman Survey, Abstract No. 414, Live Oak County, Texas; said 0.2342 of an acre tract also being out of a 4.513 acre (calculated area) tract of land conveyed by a correction deed dated February 24, 2005 from Roy E. Hammit to Mitchell Williams, recorded in Volume 25, Page 699, Live Oak County Official Records (L.O.C.O.R.); metes and bounds description of said 0.2342 of an acre tract is as follows:

**COMMENCING** at a point (from which a found one inch iron pipe bears South 35° 36' West, 2.60 feet) at the intersection of the existing northwest right of way line of Lamar Street (50 feet wide) and the existing northeast right of way line of San Antonio Street (50 feet wide per Volume 2, Page 18, Live Oak County Map Records) for the south corner of said Lot 56; **Thence** as follows:

North 36° 10' 38" West, along the existing northeast right of way line of said San Antonio Street, a distance of 231.81 feet to a Type II concrete monument set for the south end of an existing cutback line for US Highway 59; said point being 109.85 feet right from the existing centerline station 14+56.41;

North 06° 38' 21" East, along said existing southeast cut back line, a distance of 21.86 feet to a Type II concrete monument set in the proposed southeast right of way of said US Highway 59;

North 49° 27' 19" East, along the proposed southeast right of way of said US Highway 59, a distance of 193.27 feet to a 5/8 inch iron rod with cap set for the most westerly corner and the **POINT OF BEGINNING** of the herein described tract; said point being 95.00 feet right from the existing centerline of said US Highway 59, hereinafter referred to as the "existing centerline" at the existing centerline station 16+65.72;

1.) **THENCE** North 49° 27' 19" East, continuing along the proposed southeast right of way of said US Highway 59, a distance of 69.28 feet to a Type II concrete monument set for the north corner of the herein described tract; said point being 95.00 feet right from the existing centerline station 17+35.00;

#### Parcel 17E (cont.)

- 2.) **THENCE** South 70° 32' 41" East, a distance of 152.68 feet to a 5/8 inch iron rod with cap set for the east corner of the herein described tract; said point being 227.22 feet right from the existing centerline station 18+11.34;
- 3.) **THENCE** South 19° 27' 19" West, a distance of 60.00 feet to a 5/8 inch iron rod with cap set for the south corner of the herein described tract; said point being 257.22 feet right from the existing centerline station 17+59.38;
- 4.) THENCE North 70° 32' 41" West, a distance of 187.32 feet to the POINT OF BEGINNING and containing 0.2342 of an acre or 10,200 square feet of land.

#### Note:

All bearings are referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 Adjustment.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Parcel 17E" of even survey date herewith accompanies this legal description.

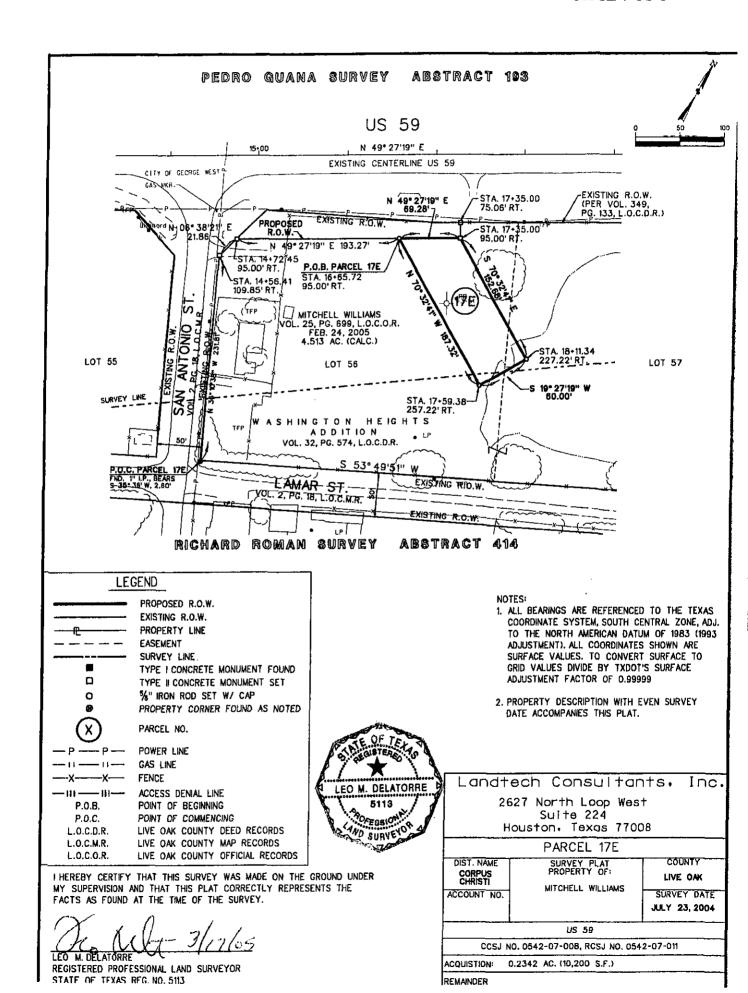
Survey date: July 23, 2004

Leo M. Delatorre

Registered Professional Land Surveyor

Texas Registration No. 5113

Date:



### Access Clause

County:

Live Oak US 59

Highway: CCSJ:

0542-07-008

RCSJ:

0542-07-011

Limits:

US 281 to the intersection of Bus. US 59

#### **Property Description for Parcel 20**

Being 0.0310 of an acre or 1,351 square feet of land out of Lot 58 1/2 of the Washington Heights Addition to the City of George West, recorded in Volume 32, Page 574, Live Oak County Deed Records (L.O.C.D.R.), situated in the Pedro Guana Survey, Abstract No. 193, Live Oak County, Texas; said 0.0310 of an acre tract also being out of a 0.3915 acre (calculated area) tract of land as described in a deed dated April 7, 1971 from Concepcion Reyes, et al to Christina Reyes Zapata, recorded in Volume 231, Page 448, L.O.C.D.R.; metes and bounds description of said 0.0310 of an acre tract is as follows:

COMMENCING at a point (from which a found 3/4 inch iron pipe bears South 72° 24' East, 1.63 feet) in the existing northwest right of way line of Lamar Street (50 feet wide per Volume 2, Page 18, Live Oak County Map Records) for the south corner of a 1.3062 acre (calculated area) tract of land composed of a 0.9129 acre (calculated area) tract described in a deed dated March 4, 1996 from Silveria G. Ruiz, et al to Marcos G. Ruiz, recorded in Volume 516, Page 230, L.O.C.D.R., and a 0.3933 acre (calculated area) tract described in a deed dated September 14, 2003 from David Zapata, et ux, to Marcos G. Ruiz, recorded in Volume 615, Page 50, L.O.C.D.R.; Thence as follows:

North 53° 49' 51" East, along the northwest right of way line of said Lamar Street, a distance of 166.67 feet to point for the south corner of said 0.3915 acre tract and the east corner of said 1.3062 acre tract;

North 36° 10' 38" West, along the northeast line of said 1.3062 acre tract and the southwest line of said 0.3915 acre tract, a distance of 312.35 feet to a 5/8 inch iron rod with cap set in the proposed southeast right of way line of US Highway 59 for the south corner and the **POINT OF BEGINNING** of the herein described tract and; said point being 90.00 feet right from the existing centerline of said US Highway 59, hereinafter referred to as the "existing centerline" at the existing centerline station 24+65.02;

1.) THENCE North 36° 10' 38" West, continuing along the northeast line of said 1.3062 acre tract and the southwest line of said 0.3915 of an acre tract, a distance of 30.01 feet to a point (from which a found broken Type I concrete monument bears North 10° 36' East, 0.48 feet) for the west corner of the herein described tract and in the existing southeast right of way line of said US Highway 59:

### Parcel 20 (cont.)

- 2.) **THENCE** North 59° 53′ 44″ East, along the existing southeast right of way line of said US Highway 59, a distance of 50.28 feet to a point for the northeasterly corner of said 0.3915 of an acre tract and the northwesterly corner of a 2.911 acre (calculated area) tract of land described in a deed dated December 31, 2002 from Blanca Estella Martinez Vargas to Ruben Martinez, recorded in Volume 603, Page 348, L.O.C.D.R.;
- 3.) **THENCE** South 36° 10' 38" East, along the northeast line of said 0.3915 acre tract and along the southwest line of said 2.911 acre tract, a distance of 25.14 feet to a 5/8 inch iron rod with cap set in the proposed southeast right of way line of said US Highway 59 for the southeasterly corner of the herein described tract and; said point being 91.35 feet right from the existing centerline station 25+15.45;
- 4.) THENCE South 59° 53′ 44″ West, along the proposed southeast right of way line of said US Highway 59, a distance of 11.09 feet to a Type II concrete monument set for the beginning of a non-tangent curve to left whose center bears South 37° 07′ 24″ East, 10,156.64 feet; said point being 90.00 feet right from the existing centerline station 25+04.35;
- 5.) **THENCE**, along the proposed southeast right of way line of said US Highway 59 and around said curve to the left with a radius of 10,156.64 feet, a central angle of 00° 13' 12", an arc length of 38.98 feet, and a chord which bears South 52° 46' 01" West, 38.98 feet to the **POINT OF BEGINNING** and containing 0.0310 of an acre or 1.351 square feet of land.

#### Note:

All bearings are referenced to the Texas Coordinate System, South Central Zone, North American Datum of 1983, 1993 Adjustment.

I hereby certify that this survey was made on the ground under my supervision and that this document correctly represents the facts as found at the time of the survey. A survey plat titled "Parcel 20" of even survey date herewith accompanies this legal description.

Survey date: July 23, 2004

Leo M. Delatorre

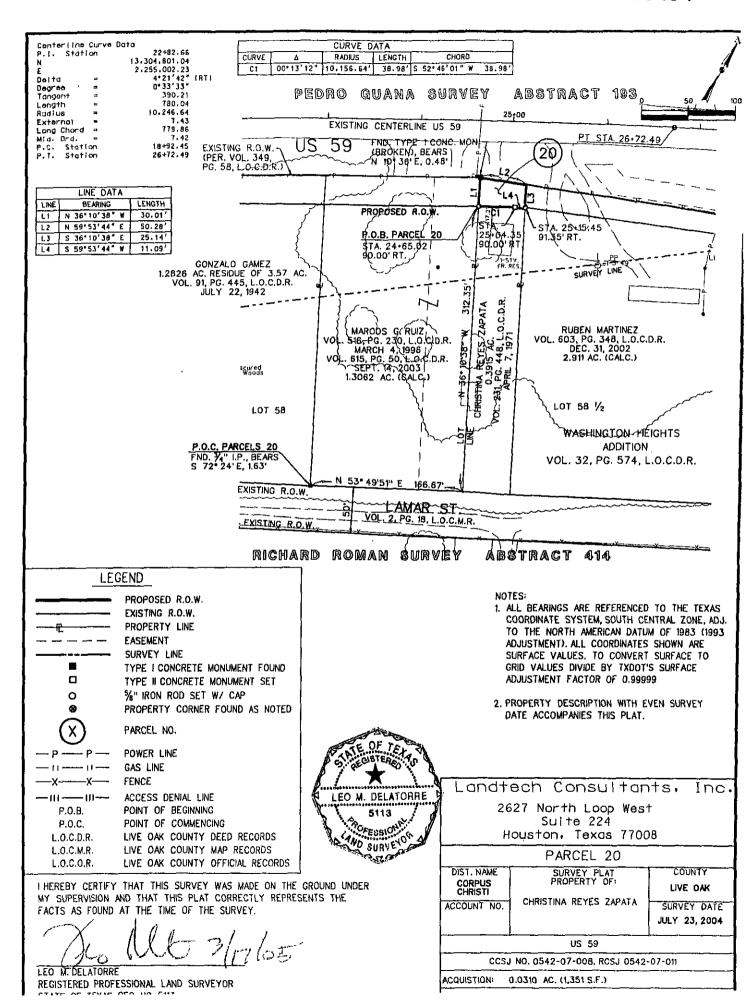
Date:

3/11/05

Registered Professional Land Surveyor

Texas Registration No. 5113

. ₽ 43fn1377-20.doc



# Access Clause

Revised September, 2003 May, 2001 Parcel No. 105B

County:

Harris

Highway:

Gulf Bank Road

Project Limits:

U.S. Hwy 290 to U.S. Hwy, 59

Account Number:

6012-50-2

#### PROPERTY DESCRIPTION FOR PARCEL NO. 105B

Being a 0.0793 of one acre (3,455 square feet) parcel of land, situated in the Phillip Tharp Survey, Abstract No. 1645, Harris County, Texas, being part of and out of Lots 12 and 15, Block 1, of North Shepherd Manor Section 1, a subdivision as shown on map or plat and recorded in the Harris County Map Records (H.C.M.R.) in Volume 35, Page 44, and being part of that certain tract of land conveyed in deed from Houston Ricardo's Number One Mexican Restaurant, Inc. to Song II Kim, dated September 16, 1994, as recorded in the Official Public Records of Real Property of Harris County (O.P.R.P.H.C.), Texas, under County Clerk's File No. R064662, Film Code No. 501-08-1760; said 0.0793 of one acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a galvanized iron fence post found (Point of Reference) being the northwest corner of that certain tract of land conveyed in deed from James B. Wesley, Substitute Trustee to Jeannine Kell Garnett, dated July 7, 1992, as recorded in the O.P.R.R.P.H.C., under County Clerk's File No. N754612, Film Code No. 025-49-3315 and the northeast corner of that certain tract of land conveyed in deed from G & C Properties Corporation to Sun Development, Inc., dated December 30, 1994, as recorded in the O.P.R.R.P.H.C., under County Clerk's File No. R226389, Film Code No. 502-42-3544, thence as follows:

South 02° 25' 24" East, along the common line of said Garnett and Sun Development, Inc. tracts, a distance of 147.76 feet to a 5/8-inch iron rod with TxDOT aluminum cap found in the proposed north right-of-way line of Gulf Bank Road (width varies), and being in a curve to the right;

In an easterly direction along the proposed north right-of-way line of Gulf Bank Road, with said curve to the right, having a central angle of 09° 16' 47", a radius of 1572.57 feet, an are length of 254.69 feet, and a chord bearing and distance of South 81° 18' 59" East, 254.42 feet to a 5/8-inch iron rod with TxDOT aluminum cap found for a point of reverse curvature;

In an easterly direction along the said proposed north right-of-way line of Gulf Bank Road, (100 feet in width) with a curve to the left, having a central angle of 04° 38' 27", a radius of 1223.24 feet, an arc length of 99.08 feet, and a chord bearing and distance of South 78° 59' 48" East, 99.05 feet to a 5/8 inch iron rod with TxDOT aluminum cap found in the common line of Lots 11 and 12, Block 1, and also being the POINT OF BEGINNING of the parcel herein described and having surface coordinates of X=3,138,138.56, Y=764,924.87; all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone NAD 27; all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999870;

Revised September, 2003 May, 2001 Parcel No. 105B

- 1) THENCE, in an easterly direction, along the said proposed north right-of-way line of Gulf Bank Road with a curve to the left, having a central angle of 07°25'17", a radius of 1223.24 feet, and an arc length of 158.44 feet, and a chord bearing and distance of South 85°01'40" East, 158.33 feet to an "X" in concrete set for a cutback corner;
- 2) THENCE, North 44°03'19" East, along the cutback line of said proposed north right-of-way line of Gulf Bank Road, a distance of 48.29 feet to a 5/8-inch iron rod with TxDOT aluminum cap set in the west right-of-way line of Sweetwater Road (also known as Hacker Road), (based on a width of 70.00 feet);
- 3) THENCE, South 02° 19' 45" East, along the west right-of-way line of Sweetwater Road, a distance of 48.09 feet to a point on the existing north right-of-way line of Gulf Bank Road (80.00 feet in width) and being in a curve to the right;
- 4) THENCE, in a westerly direction, along the existing north right-of-way line of Gulf Bank Road with said curve to the right, having a central angle of 09° 48' 00", a radius of 1129.16 feet, an arc length of 193.13 feet, and a chord bearing and distance of North 86°44'07" West, 192.90 feet to the southwest corner of said Lot 12 and the southeast corner of said Lot 11;
- 5) THENCE, North 02° 25' 24" West, along the common line of said Lots 11 and 12, a distance of 16.10 feet to the POINT OF BEGINNING, and containing 0.0793 of one acre (3,455 square feet) of land.

NOTES: A parcel plat of even date accompanies this property description.

Deed information current to December, 2001.

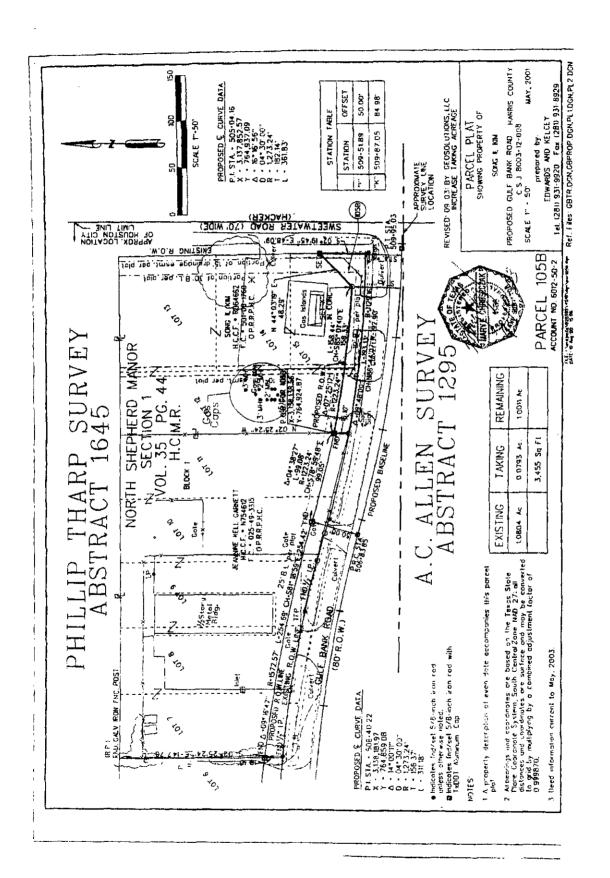
Revision consists of increasing the taking acreage.

HRUSZCZAK Lanc

Mary E. Chruszozak/ Registered Professional Land Surveyor No. 4968

Revised by:

GeoSolutions, LLC 15711 West Hardy Road, Suite 8 Houston, Texas 77060 Job No. 26599-4018



# Access Clause

# MINUTE ORDER EXHIBIT 7 PAGE 1 OF 4

May, 2001 Parcel No. 112A

County:

Harris

Highway:

Gulf Bank Road

Project Limits:

U.S. Hwy 290 to U.S. Hwy. 59

Account Number:

6012-50-2

#### PROPERTY DESCRIPTION FOR PARCEL NO. 112A

Being 0.0841 of one acre (3,665 square feet) of land, more or less, situated in the A.C. Allen Survey, Abstract No. 1295, Harris County, Texas, being part of and out of a 0.6554 acre tract being Lots 4 - 6, Block 4, of North Shepherd Manor Section 1, a subdivision as shown on map or plat and recorded in the Harris County Map Records (H.C.M.R.) in Volume 35, Page 44, and being part of said Lot 4 conveyed in deed from W. R. Morgan and wife, Irene Morgan to Lewis William Hinsch and wife, Dimple Irene Hinsch dated November 10, 1960, under County Clerk's File No. B257854, Volume 4199, Page 153, said Lots 5 and 6 conveyed in deed from B. B. Lang and wife, Marjorie Lang to Dimple Irene Lang, dated February 19, 1960, under County Clerk's File No. B161629, Volume 3991, Page 293 and also being part of said Lot 7 conveyed in deed from Effic Florence Gist et al to Dimple Irene Gist Henderson, dated November 27, 1978, under County Clerk's File No. F871991, Film Code No. 113-91-2137 as recorded in the Official Public Records of Real Property of Harris County (O.P.R.R.P.H.C.), Texas, said 0.0841 of one acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 1-inch iron pipe found (Point of Reference) being the southwest corner of said Lot 7 and the southeast corner of said Lot 6, Block 4, thence as follows:

North 02° 08' 39" West, along the common line of said Lots 6 and 7, a distance of 115.84 feet to a 5/8-inch iron rod with TxDOT aluminum cap set in the proposed south right-of-way line of Gulf Bank Road (100.00 feet in width), and being the POINT OF BEGINNING of the parcel herein described and having surface coordinates of X=3,138,835.63, Y=764,816.83; all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone; all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999870;

- THENCE, South 89° 19' 14" West, along the proposed south right-of-way line of Gulf Bank Road, a distance of 209.94 feet to a TxDOT aluminum cap set in the west line of said Lot 4 and being the east line of Lot 3 as conveyed in deed to William E. Cahill under County Clerk's File No. M345812, Film Code No. 158-71-1767 in the O.P.R.R.P.H.C, thence as follows;
- 2) THENCE, North 02° 08' 39" West, along the common lines of said Lot 4 and Lot 3, Block 4, a distance of 14.66 feet to a 1-inch iron pipe found for the northeast corner;

May, 2001 Parcel No. 112A

- 3) THENCE, North 87° 47' 26" East, along the existing south right-of-way line of Gulf Bank Road (50.00 feet in width), a distance of 209.87 feet to a 3/4-inch iron pipe found for the northeast corner of said Lot 6 and the northwest corner of said Lot 7;
- 4) THENCE, South 02° 08' 39" East, along the common line of said Lots 6 and 7, a distance of 20.27 feet to the POINT OF BEGINNING, and containing 0.0841 of one acre (3,665 square feet) of land, more or less.

NOTES: A plat of even date accompanies this metes and bounds description. Deed information current to August, 2000.

MARY E. CHRUSZCZAK DA 4968

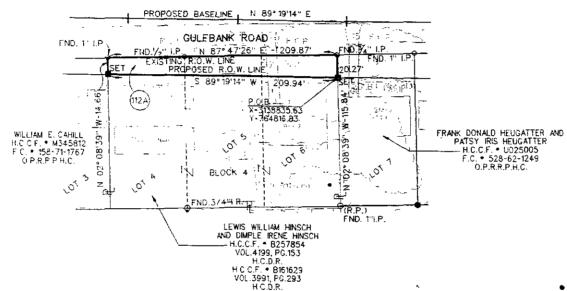
Mary E. Chruszczak Registered Professional

Land Surveyor No. 4968

Prepared by:

Edwards and Kelcey 654 E. North Belt, Suite 144 Houston, Texas 77060 Job No. 26599-4018

# A.C. ALLEN SURVEY ABSTRACT 1295



0.P.R.R P.H.C.

NORTH SHEPHERD MANOR SECTION 1 VOL. 35 PG. 44 H.C.M.R.

#### NOTES:

- 1. Metes and bounds of even date accompanies this plat.
- All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone: all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999370.
- 3. Deed information current to August, 2000.



unless otherwise noted.

Indicates fnd/set 5/8-inch iron rod with TxDOT Aluminum Cap.

EXISTING	TAKING	REMAINING
0 6554 Ac.	0.0841 Ac.	0.5713 Ac.
	3,665 Sq. Ft.	
	PARCEL PLA	T

SCALE 1"-50"

PARCEL PLAT SHOWING PROPERTY OF LEWIS WILLIAM HINSCH AND DIMPLE IRENE HINSCH

PROPOSED GULF BANK ROAD HARRIS COUNTY C.S.J. 8003-12-608

SCALE 1" + 50'

MAY, 2001

150

prepared by: EDWARDS AND KELCEY Tel (281) 931-9920 Fax (281) 931-8929

PARCEL 112A

(Addendum)

#### Access Clause

Access will be permitted to the highway facility from the remainder of the property abutting the highway facility.

# MINUTE ORDER EXHIBIT 8 PAGE 1 OF 4

May, 2001 Parcel No. 112B

County:

Harris

Highway:

Gulf Bank Road

Project Limits:

U.S. Hwy 290 to U.S. Hwy. 59

Account Number:

6012-50-2

#### PROPERTY DESCRIPTION FOR PARCEL NO. 112B

Being 0.0342 of one acre (1,488 square feet) of land, more or less, situated in the A.C. Allen Survey, Abstract No. 1295, Harris County, Texas, being part of and out of a 0.2193 acre tract being Lot 7, Block 4, of North Shepherd Manor Section 1, a subdivision as shown on map or plat and recorded in the Harris County Map Records (H.C.M.R.) in Volume 35, Page 44, and being part of said Lot 7 conveyed in deed from Walter Dean Henderson to Frank Donald Heugatter and wife Patsy Iris Heugatter, dated October 13, 1999 under County Clerk's File No. U025005, Film Code No.528-62-1249 as recorded in the Official Public Records of Real Property of Harris County (O.P.R.R.P.H.C.), Texas, said 0.0342 of one acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found (Point of Reference) being the southeast corner of said Lot 7 and the southwest corner of Lot 8, Block 4 as conveyed in deed to Nuong Thi Tran Nguyen under County Clerk's File No, S203862, File Code No. 510-75-3788 in the O.P.R.R.P.H.C., thence as follows:

North 02°08' 39" West, along the common lines of said Lots 7 and 8, a distance of 114.03 feet to a 5/8-inch iron rod with TxDOT aluminum cap found in the proposed south right-of-way line of Gulf Bank Road (100.00 feet in width), and being the POINT OF BEGINNING of the parcel herein described and having surface coordinates of X=3,138,905.81, Y=764,817.66; all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone; all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999870;

- THENCE, South 89° 19' 14" West, along the proposed south right-of-way line of Gulf Bank Road, a distance of 70.18 feet to a 5/8-inch iron rod with TxDOT aluminum cap set in the west line of said Lot 7 and the east line of Lot 6 as conveyed in deed to Lewis William Hinsch and Dimple Irene Hinsch under County Clerk's File No. B257854, O.P.R.R.P.H.C. Volume 4199, Page 153, Harris County Deed Records (H.C.D.R.) and County Clerk's File No. B161629, O.P.R.R.P.H.C., Volume 3991, Page 293 of the H.C.D.R.;
- 2) THENCE, North 02° 08' 39" West, along the common lines of said Lot 6 and Lot 7, Block 4, a distance of 20.27 feet to a 3/4-inch iron pipe found for corner in the existing right-of-way of Gulf Bank Road (80.00 feet wide);

May, 2001 Parcel No. 112B

- 3) THENCE, North 87° 47' 26" East, along the existing south right-of-way line of Gulf Bank Road (50.00 feet in width), a distance of 70.16 feet to a 1-inch iron pipe found for the northeast corner of said Lot 7 and the northwest corner of said Lot 8;
- 4) THENCE, South 02° 08' 39" East, along the common lines of said Lots 7 and 8, a distance of 22.14 feet to the POINT OF BEGINNING, and containing 0.0342 of one acre (1,488 square feet) of land, more or less.

NOTES: A plat of even date accompanies this metes and bounds description.

Deed information current to August, 2000.

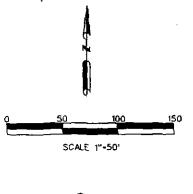
MARY E. CHRUSZCZAK

Mary E. Chruszczak Registered Professional Land Surveyor No. 4968

Prepared by:

Edwards and Kelcey 654 E. North Belt, Suite 144 Houston, Texas 77060 Job No. 26599-4018 NORTH SHEPHERD MANOR SECTION 1 VOL. 35 PG. 44 H.C.M.R.

GULFBANK ROAD (30' WIDE) PROPOSED BASELINE N 89- 19'14" E FND. 34 1.P. 70.16 N 02:08:39"W EXISTING R.O.W. LINE PROPOSED R.O.W. LINE 25'B uper plot \_\_\_\_ S 89\*19'14" W - 70.18 3,38,905.81 LEWIS WILLIAM HINISCH Y-164,817.66 AND DIMPLE PRENE PHISCH THUDING THETRAN NGUYEN H.C.C.F. • B257854 VOL. 4199, PG. 153 H.C.C.F. • \$203862 F.C. • 510-75-3788 BLOCK 4 H.C.D.R. H.C.C.F. \*B161629 O.P.R.R.P.H.C. VOL. 3991, PG 293 H.C.D.R. n.C.U.R. 0.P.R.R.P.H.C.≥000 FND. 1" I.P. FND. 3/4 1.R. FRANK DONALD HEUGATTER AND PATSY IRIS HEUGATTER H.C.C.F. • U025005 F.C. • 528-62-1249 0.P.R.R.P.H.C.





A.C. ALLEN SURVEY ABSTRACT 1295

 Indicates fnd/set 5/8-inch iron rod unless otherwise noted.

Indicates find/set 5/8-inch iron rod with TxDOT Aluminum Cap.

EXISTING	TAKING	REMAINING					
0.2193 Ac.	0.0342 Ac.	0.1851 Ac.					
	1488 Sq. Ft.						
DADCEL DLAT							

PARCEL PLAT SHOWING PROPERTY OF

FRANK DONALD HEUGATTER AND PATSY RENE HEUGATTER

PROPOSED GULF BANK ROAD HARRIS COUNTY C.S.J. 8003-12-008

SCALE 1" - 50' MAY, 2001

prepared by: EDWARDS AND KELCEY Tel. (281) 931-9920 Fax (281) 931-8929

PARCEL 112B

ACCOUNT NO. 6012-50-2

#### NOTES:

- 1. Metes and bounds of even date accompanies this plat.
- All bearings and coordinates are based on the Texas State. Plane Coordinate System, South Central Zone: all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999870.
- 3. Deed information current to August, 2000.

(Addendum)

### **Access Clause**

Access will be permitted to the highway facility from the remainder of the property abutting the highway facility.

# MINUTE ORDER EXHIBIT 9 PAGE 1 OF 4

May, 2001 Parcel No. 170A

County:

Harris

Highway:

Gulf Bank Road

Project Limits:

U.S. Hwy 290 to U.S. Hwy. 59

Account Number:

6012-50-2

#### PROPERTY DESCRIPTION FOR PARCEL NO. 170A

Being 0.0208 of one acre (905 square feet) of land, more or less, situated in the M.K. Snell Survey, Abstract No. 688, Harris County, Texas, being part of and out of a 2.92 acre tract being a portion of Lot 67, of the W.L. Hill Subdivision, as shown on map or plat and recorded in the Harris County Map Records (H.C.M.R.) in Volume 7, Page 4, and being part of that certain tract of land conveyed in deed from Dolores P. Carr to Ashan Hosein and Lois Hosein, dated December 4, 1991, as recorded in the Official Public Records of Real Property of Harris County (O.P.R.P.H.C.), Texas, under County Clerk's File No. N436966, Film Code No. 008-58-0552, said 0.0208 of one acre parcel being more particularly described by mates and bounds as follows:

COMMENCING at a 2-inch pinch top pipe found in the west line of said Hosein tract, being in the east line of that certain tract of land as conveyed in deed to Laura Cowdrey, Trustee, dated September 18, 1989, as recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. M350845, Film Code No. 158-77-2542, thence as follows:

South 01° 58' 49" East, along the common line of said Hosein and Cowdrey tracts, a distance of 699.34 feet to a 5/8-inch iron rod with TxDOT aluminum cap found in the proposed north right-of-way line of Gulf Bank Road (100.00 feet in width) and being the POINT OF BEGINNING of the parcel herein described and having surface coordinates of X=3,146,068.81, Y=765,401.61; all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central; all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999870;

- THENCE, North 88° 03' 27" East, along the proposed north right-of-way line of Gulf Bank Road, a distance of 17.93 feet to a 5/8-inch iron rod with TxDOT aluminum cap found in the west line of that certain tract of land as conveyed in Warranty Deed to Overton Spencer, Jr. and wife Thelma Joyce Spencer, dated August 5, 1992, as recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File No. N803048, Film Code No. 106-58-3780;
- 2) THENCE, South 02° 23' 43" East, along the common line of said Hosein and Spencer tracts, a distance of 50.00 feet to a point in existing north right-of-way line of Gulf Bank Road (50.00 feet in width), from which a found 5/8-inch iron rod bears South 02° East, a distance of 0.40 feet;

May, 2001 Parcel No. 170A

- THENCE, South 88° 03' 27" West, along the existing north right-of-way line of Gulf Bank Road, a distance of 18.29 feet to a point in the east line of said Cowdrey tract, from which a found 1-1/4-inch iron pipe bears South 02° East, a distance of 0.40 feet;
- 4) THENCE, North 01° 58' 49" West, along the common line of said Hosein and Cowdrey tracts, a distance of 50.00 feet to the POINT OF BEGINNING, and containing 0.0208 of one acre (905 square feet) of land, more or less.

NOTES: A plat of even date accompanies this metes and bounds description.

Deed information current to August, 2000.

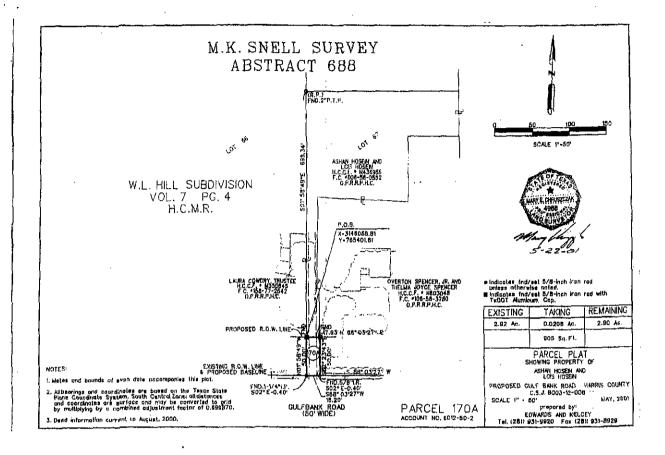
MARY E CHRUSZCZAK

Mary B. Chruszczak

Registered Professional Land Surveyor No. 4098

Prepared by:

Edwards and Kelcey 654 North Sam Houston Parkway East, Suite 144 Houston, Texas 77060 Job No.26599-4018



(Addendum)

### Access Clause

Access will be permitted to the highway facility from the remainder of the property abutting the highway facility.

#### MINUTE ORDER EXHIBIT 10 PAGE 1 OF 4

May, 2001 Parcel No. 210B

County:

Harris

Highway:

Gulf Bank Road

Project Limits:

U.S. Hwy 290 to U.S. Hwy. 59

Account Number:

6012-50-2

#### PROPERTY DESCRIPTION FOR PARCEL NO. 210B

Being 0.0057 of one acre (247 square feet) of land, more or less, situated in the M.K. Snell Survey, Abstract No. 688, Harris County, Texas, being a portion of Lots 29 and 30 of the Hahl-Sites Subdivision as shown on map or plat and recorded in the Harris County Map Records (H.C.M.R.) in Volume 13, Page 32, and being part of that certain 0.5972 of one acre tract (called 0.5969 of one acre) as conveyed in deed from Lillian E. Johnson to Sidney A. Johnson, dated April 21, 1984, as recorded in the Official Public Records of Real Property of Harris County (O.P.R.R.P.H.C.), Texas, under County Clerk's File No. J696197, Film Code No. 094-88-1332, said 0.0057 of one acre parcel being more particularly described by metes and bounds as follows:

COMMENCING at the common corner of Lots 17, 18, 29, and 30 of said Hahl-Sites Subdivision and being in the south line of said 0.5972 of one acre tract, and from which a chainlink fence corner found bears South 02° 49' 12" East, 1.01 feet, thence as follows;

North 87° 10' 48" East, along the south line of said Lot 30 and the said 0.5972 of one acre tract, a distance of 17.49 feet to the southeast corner of said 0.5972 of one acre tract and the southwest corner of that certain 2.108 acre tract as conveyed in deed to Albert E. Crow, Jr., and wife, Evelyn Crow, dated June 10, 1971, and recorded in the O.P.R.R.P.H.C. under County Clerk's File No. D345668, Film Code No. 129-39-0530, and deed dated December 5, 1981, and recorded in the O.P.R.R.P.H.C. under County Clerk's File No. H255786, Film Code No. 002-87-2528;

North 02° 49' 12" West, along the common line of said 0.5972 acre tract and said 2.108 acre tract, a distance of 235.90 feet to a 5/8-inch iron rod with TxDOT aluminum cap found for the POINT OF BEGINNING of the parcel herein described being on the proposed southerly right-of-way line of Gulf Bank Road and having surface coordinates of X=3,151,973.88, Y=765,656.75; all bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone; all distances and coordinates are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999870;

May, 2001 Parcel No. 210B

- THENCE in a northwesterly direction along the proposed southerly right-of-way line of Gulf Bank Road, with a curve to the left, having a radial bearing of North 19° 54′ 36″ East, a central angle of 01° 34′ 41″, a radius of 1,382.39 feet, an arc length of 38.07 feet, and a chord bearing and distance of North 70° 52′ 45″ West, 38.07 feet to a 5/8-inch iron rod with TxDOT cap found on the north line of said 0.5972 of one acre tract;
- 2) THENCE, North 87° 14' 45" East, along the north line of said 0.5972 of one acre tract, a distance of 35.32 feet to a point in the said east line of the 0.5972 of one acre tract and the said west line of the 2.108 acre tract;
- THENCE, South 02° 49' 12" East, along the common line of said 0.5972 of one acre tract and said 2.108 acre tract, a distance of 14.19 feet to the POINT OF BEGINNING, and containing 0.0057 of one acre (247 square feet) of land, more or less.

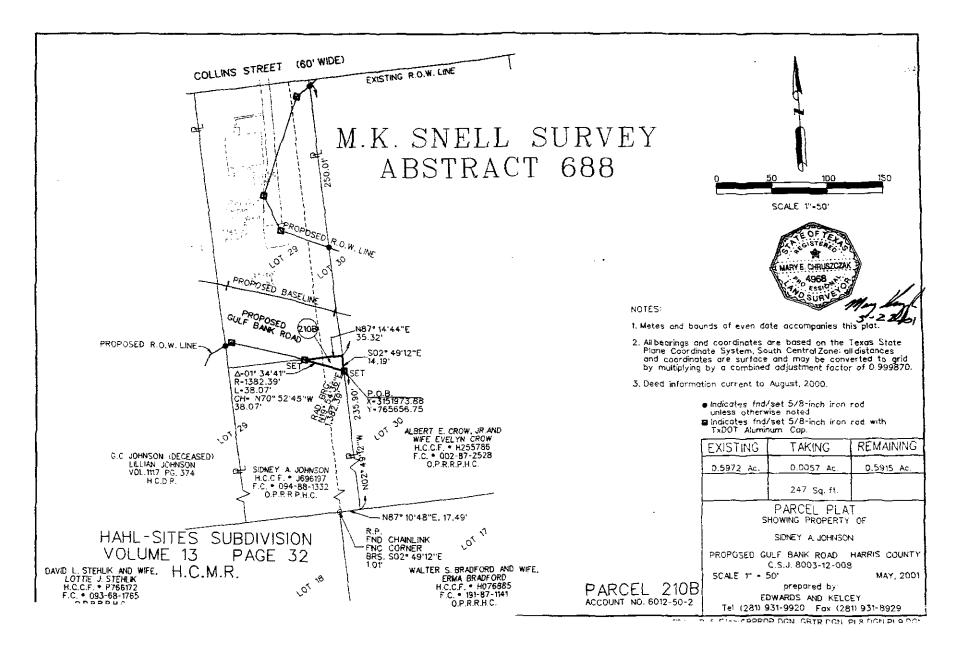
NOTES: A plat of even date accompanies this metes and bounds description. Deed information current to August, 2000.

MARY E. CHRUSZCZAK PARSION OF SURVEY

Mary E. Chruszczak Registered Professional Land Surveyor No. 4698

Prepared by:

Edwards and Kelcey 654 North Sam Houston Parkway East, Suite 144 Houston, Texas 77060 Job No. 26599-4018



## (Addendum)

#### Access Clause

Access will be permitted to the highway facility from the remainder of the property abutting the highway facility.

### MINUTE ORDER EXHIBIT A PAGE 1 OF 13

September, 2000 Parcel 1

County:

Hidalgo

Account No.: 8021-01-067

CSJ No.:

0039-17-144

Highway:

U.S. 83 Expressway

Grantor:

Heirs of T. B. Waite and J. P. Waite

#### FIELD NOTES FOR PARCEL 1

Being 8.624 acres (375,674 square feet) of land, situated in Los Ejidos de Reynosa Viejo Grant. Abstract No. 70, Hidalgo County, Texas, being part of that certain 207.05 acre tract, residue of that certain 210.34 acre tract, also referred to as Tract No. 379, conveyed to T. B. Waite and J. P. Waite, by a deed dated January 23, 1935, recorded in Volume 408, Page 8, Deed Records of Hidalgo County, Texas, the subject 8.624 acres (375,674 square feet) of land, being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch iron rod found on the easterly line of said 210.34 acre tract, and being the southwesterly corner of that certain tract conveyed to Jaime Pena, dated September 2. 1994, recorded in Document No. 408327, Official Public Records of Hidalgo County, Texas, also referred to as Lot 168, Silverado West Subdivision, as shown on plat thereof recorded in Volume 26, Page 90, Map Records of Hidalgo County, Texas, thence as follows:

NORTH 07°57'22" EAST, with the common line between said Lot 168, and said 210.34 acre tract, a distance of 136.45 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set for the POINT OF BEGINNING, having surface coordinates of X=1,011,683.03 and Y=16,612,836.44, being on the proposed southerly right of way line of U.S. 83 Expressway, based on 300.00 feet wide. All bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone, North American Datum 1983 (1993 adjustment). All distances and coordinates are surface and may be converted to grid by multiplying by a combined scale factor of 0.999960;

- THENCE, NORTH 81°26'18" WEST, with said proposed southerly right of way line, a 1. distance of 1,101.59 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc.", set for point of curvature of a tangent curve to the right, having a radius of 5,854.58 feet;
- THENCE, in a northwesterly direction continuing with said southerly right of way line, 2. along said curve to the right, having a central angle of 07°00'00", a radius of 5.854.58 feet, an arc length of 715.28 feet, a chord bearing and distance of N 77°56'18" W, 714.83 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set

September, 2000 Parcel 1

for the point of tangency;

- 3. THENCE, NORTH 74°26'18" WEST, continuing with said proposed right of way line, a distance of 361.75 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set for point of curvature of a tangent curve to the left, having a radius of 5,604.58 feet;
- 4. THENCE, in a northwesterly direction, continuing with said proposed right of way line along said curve to the left, having a central angle of 07°00'00", a radius of 5,604.58 feet, an arc length of 684.73 feet, a chord bearing and distance of N 77°56'18" W, 684.31 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set for point of tangency;
- 5. THENCE, NORTH 81°26'18" WEST, continuing with said proposed right of way line, a distance of 1,759.69 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set for an angle point;
- 6. THENCE, NORTH 81°25'24" WEST, continuing with said proposed south right of way line, a distance of 385.95 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set on the westerly line of said 210.34 acre tract, for corner, and the east line of that certain 9.960 acre tract as conveyed to T. B. Waite, Jr., et ux, by deed dated July 23, 1953, recorded in Volume 778, Page 179, Deed Records of Hidalgo County, Texas;
- 7. THENCE, NORTH 07°57'22" EAST, with the westerly line of said 210.34 acre tract, a distance of 75.00 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS Surveying Inc." set for corner on the existing south right of way line of U.S.83 Expressway, based on 200.00 feet wide;
- 8. THENCE, SOUTH 81°25'24" EAST, with the existing south right of way line of U.S.83 Expressway, a distance of 386.75 feet to an angle point;
- 9. THENCE, SOUTH 81°26'18" EAST, with the existing south right of way line of U.S, 83 Expressway, a distance of 1,759.69 feet to a point of curvature of a tangent curve to the right, having a radius of 5,679.58 feet;
- 10. THENCE, in a southeasterly direction along said curve to the right, having a central angle of 07°00'00", a radius of 5,679.58 feet, an arc length of 693.89 feet, a chord bearing and distance of S 77°56'18" E, 693.46 feet to a point of tangency;

September, 2000 Parcel 1

- 11. THENCE, SOUTH 74°26'18" EAST, continuing with said existing south right of way line, a distance of 361.75 feet to a point of curvature of a tangent curve to the left, having a radius of 5,779.58 feet;
- 12. THENCE, in a southeasterly direction along said curve to the left, having a central angle of 07°00'00", a radius of 5,779.58 feet, an arc length of 706.11 feet, a chord bearing and distance of S 77°56'18" E, 705.67 feet to a point of tangency;
- 13. THENCE, SOUTH 81°26'18" EAST, with the existing south right of way line of U.S.83 Expressway, a distance of 1,100.80 feet to the northwesterly corner of said Lot 168, being the northeasterly corner of said 210.34 acre tract, for corner, from which a 5/8 inch iron rod, bears N 07°57'22"E, a distance of 0.54 feet;
- 14. THENCE, SOUTH 07°57'22" WEST, with the westerly line of said Lot 168, being the easterly line of said 210.34 acre tract, a distance of 75.00 feet to the POINT OF BEGINNING and containing 8.624 acres (375,674 square feet) of land.

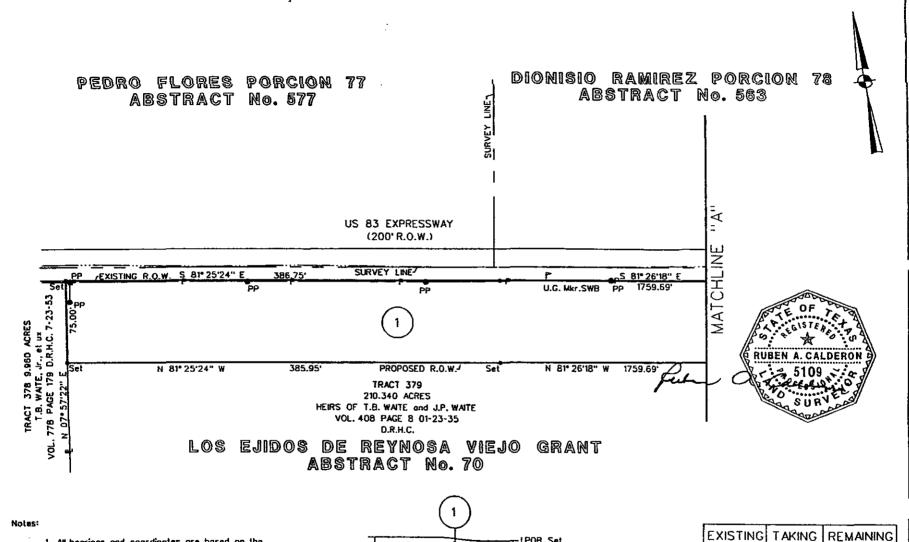
A plat of same date accompanies this metes and bounds description.

egistered Professional Land Surveyor

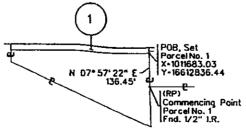
RODS Solveying, Inc.

Job No: 067-99017001

Parcel Drawing 99017001 Map1\cad\83par01.dgn



- 1. All bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone, North American Datum 1983, (1993 adjustment). All Distances and Coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.999960.
- 2. Set: Indicates a 5/8 inch iron rod with plastic cop marked "RODS Surveying, Inc."
- 3. Survey line locations are approximate and based on the best available evidence.
- 4. A metes and bounds description of same date accompanies this plat.



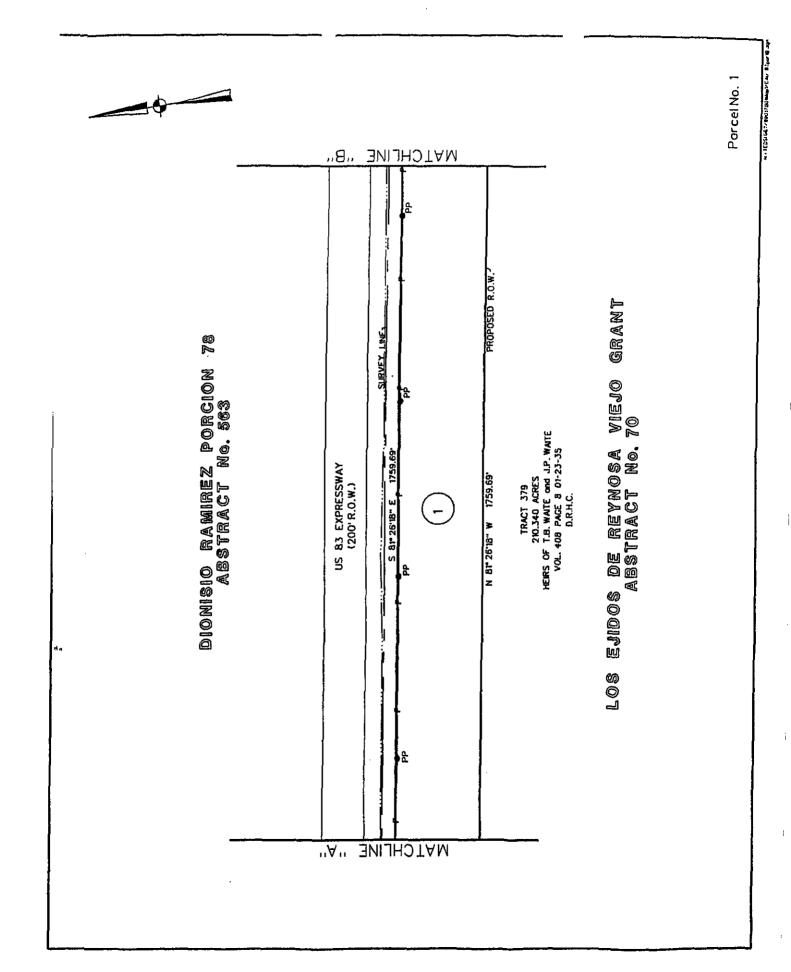
Account No. 8021-01-067

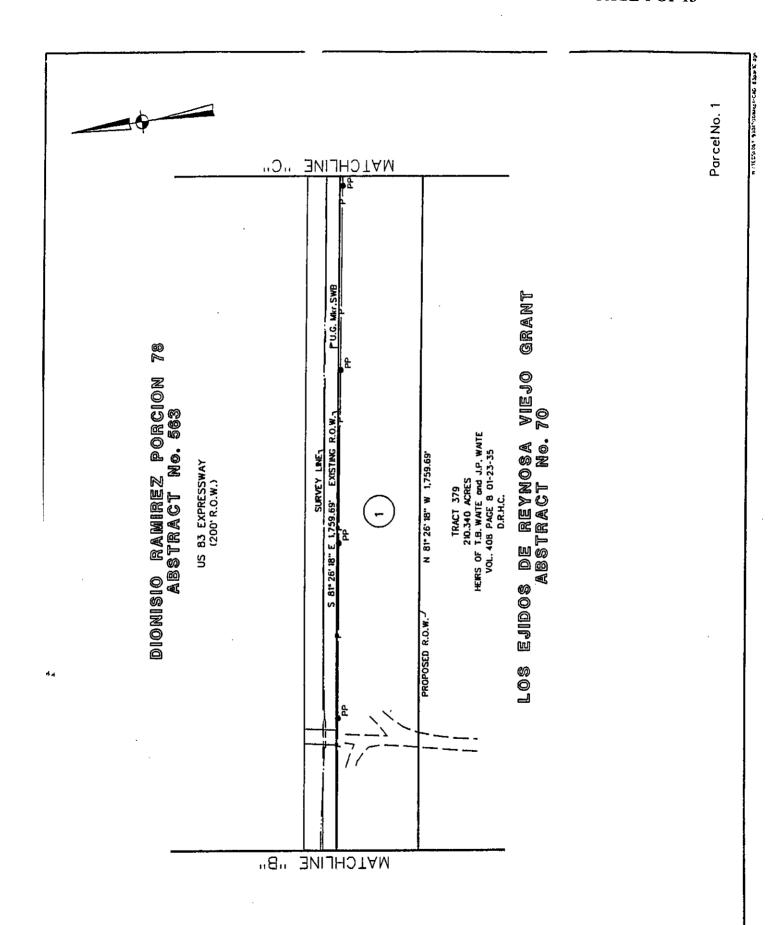
Parcel No. 1

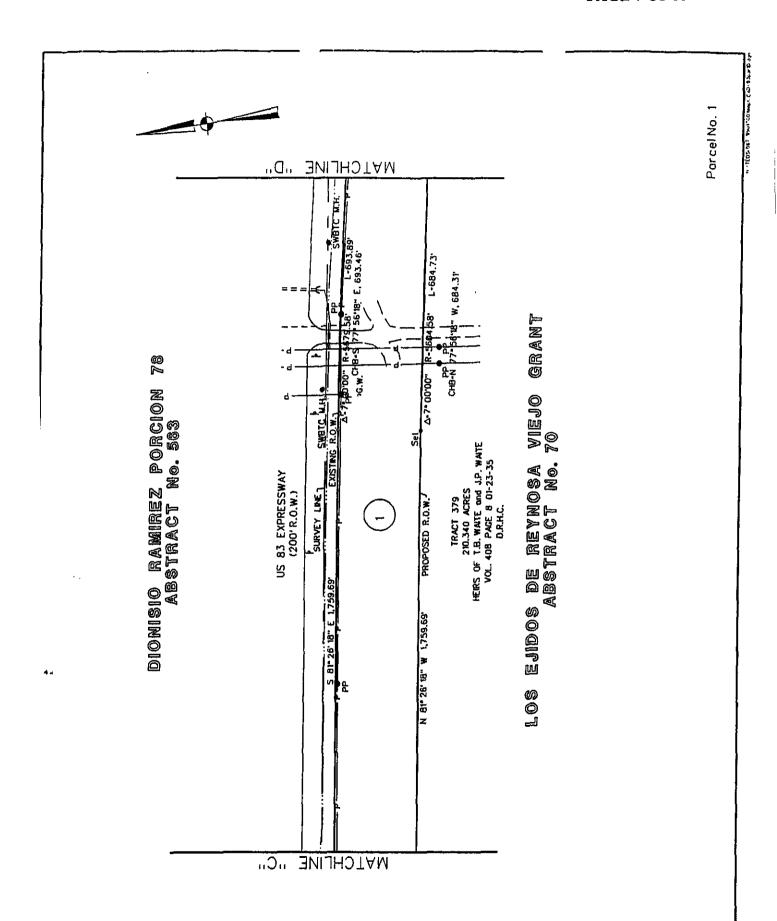
210.340 AC. 8.624 AC. 201,716 AC. 375,674 SQ.FT RIGHT OF WAY SKETCH SHOWING PROPERTY OF HEIRS OF T.B. WAITE AND J.P. WAITE US 83 HIDALGO COUNTY CSJ 0039-17-144 RODS SURVEYING INC. **SEPT 2000** 

SCALE : 1"-80"

יים או ענולה כאם וישור מסורסטונים " PEUSIGE" פאר או אינול מו

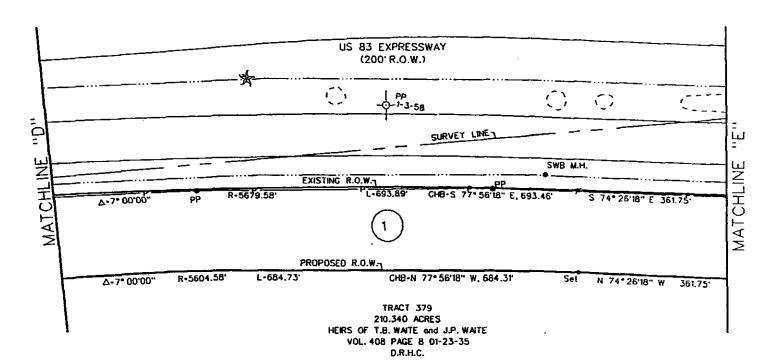






#### DIONISIO RAMIREZ PORCION 78 ABSTRACT No. 563

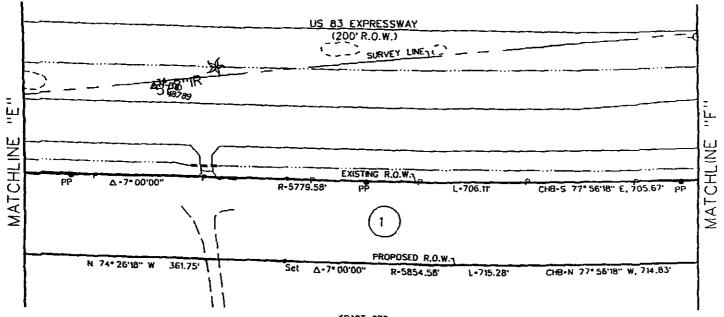
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LOS EJIDOS DE REYNOSA VIEJO GRANT ABSTRACT No. 70

Parcel No. 1



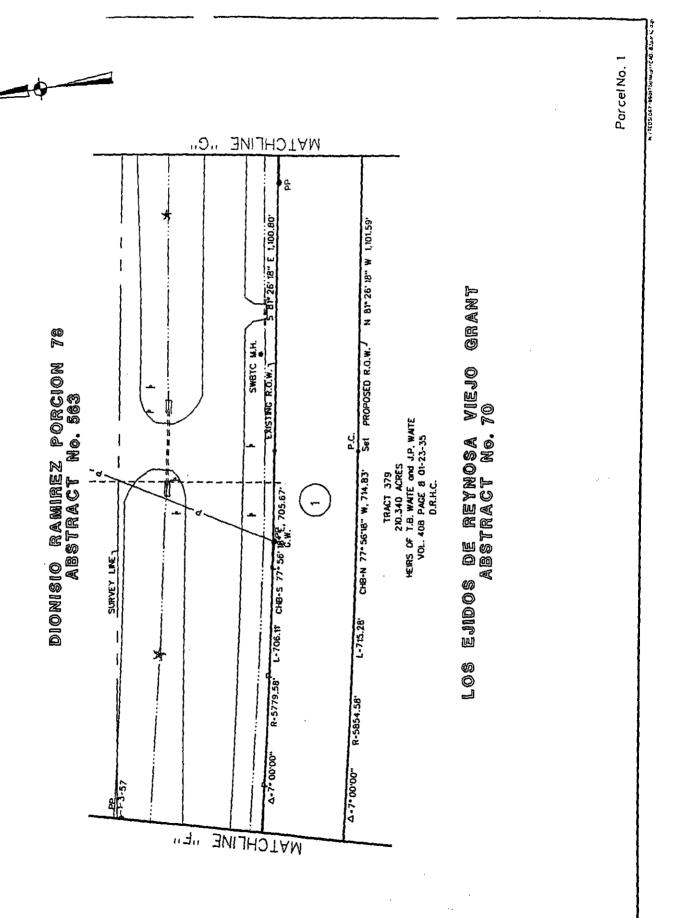


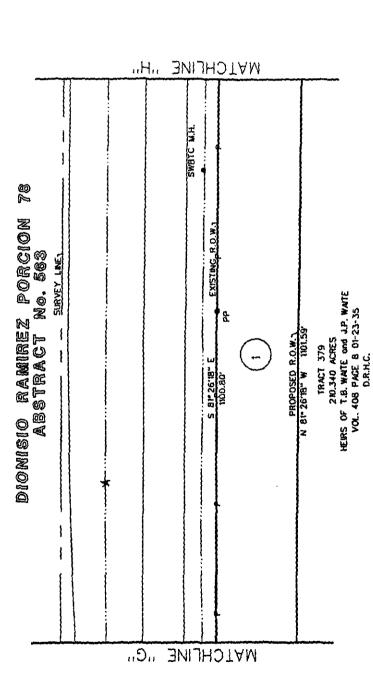
TRACT 379
210.340 ACRES
HEIRS OF T.B. WAITE and J.P. WAITE
VOL. 408 PAGE 8 01-23-35
D.R.H.C.

LOS EJIDOS DE REYNOSA VIEJO GRANT ABSTRACT NO. 70

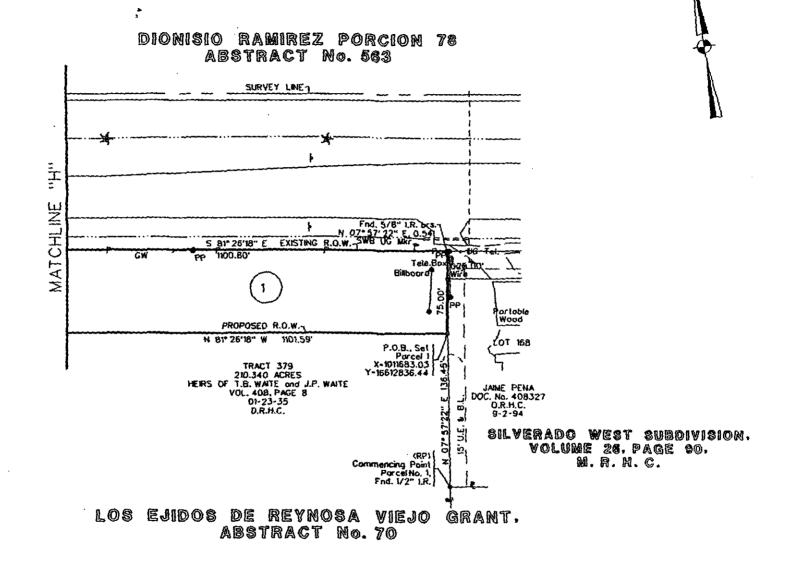
Parcel No. 1

H. FEDSIGE'S SERVICE STREET STREET BY





GRANT DE REYMOSA VIEJO ABSTRACT NO. 70 80 | |-



Parcel No. 1

## MINUTE ORDER EXHIBIT A PAGE 13 OF 13

**ROW Account: 8021-01-067** 

CSJ 0039-17-144 County: Hidalgo

Highway No. US 83 Expressway, Palmview

Parcel 1

### CONTROL OF ACCESS CLAUSE:

Access will be permitted to the South remainder abutting the highway facility of the foregoing property description.

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#### MINUTE ORDER EXHIBIT B PAGE 1 OF 4

September, 2000 Parcel 74

County:

Hidalgo

Highway No: U.S. 83 Expressway

RCSJ:

0039-17-144

CSJ No:

0039-17-142

#### PARCEL 74 PROPERTY DESCRIPTION

All that certain 0.400 of one acre (17,421 square feet) of land, situated in the Francisco Cantu Porcion 80, Abstract No. 570, Hidalgo County, Texas, and being part of and out of a 1.0034 acre tract as conveyed to Takasumo Corporation, by a deed dated November 26, 2002 and recorded in Document No. 1143834, of the Official Public Records of Hidalgo County, Texas, said 0.400 of one acre (17,421 square feet) of land, being more particularly described by metes and bounds as follows:

COMMENCING for a point of reference at the northwesterly corner of said 1.0034 acre tract. and lying on the easterly line of Tract 1 of Sleepy Valley Ranch Subdivision as recorded in Volume 22. Page 126, as conveyed to Leisure Communities, LLC by a deed dated August 5. 2002, and recorded in Document No. 1108135, of the Official Public Records of Hidalgo County, Texas, from which a 5/8 inch iron rod found bears S 61°46'32" E, a distance of 0.43 feet, thence as follows;

SOUTH 08° 56' 32" WEST, with the westerly line of said 1.0034 acre tract and the easterly line of said Tract 1, a distance of 65.60 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS SURVEYING INC" set for the POINT OF BEGINNING, having surface coordinates of X=1.017.056.99 and Y=16.612.342.00. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment). English units. All distances and coordinates are surface and may be converted to grid by multiplying by a combined scale factor of 0.999960;

1. THENCE, SOUTH 81° 25' 28" EAST, with the proposed north right of way line of the US 83 Expressway, a distance of 326.01 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS SURVEYING INC" set on the proposed north right of way line of said US83 Expressway, for an angle point;

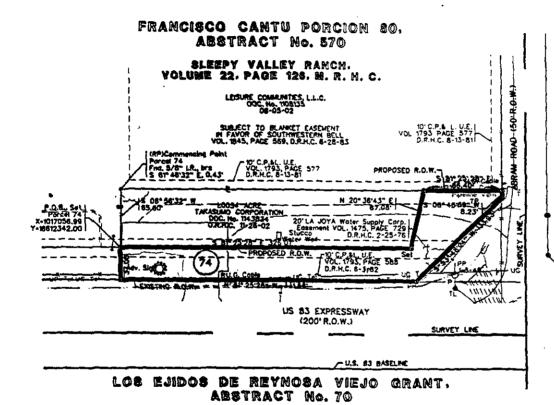
September, 2000 Parcel 74

- 2. THENCE, NORTH 20° 36' 43" EAST, with the proposed north right of way line of said US83 Expressway, a distance of 67.08 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS SURVEYING INC" set on the south line of said Sleepy Valley Ranch Subdivision;
- 3. THENCE, SOUTH 81° 25' 28" EAST, with the south line of said Sleepy Valley Ranch Subdivision, a distance of 86.40 feet, to the northeasterly corner of said 1.0034 acre tract, common to the southeast corner of said Sleepy Valley Ranch Subdivision on the existing west right of way line of Abram Road, 50 feet wide, from which a ¾" iron rod found bears, NORTH 24°36'54" EAST, 0.60 feet;
- 4. THENCE, SOUTH 08° 45' 59" WEST, with the existing west right of way line of said Abram Road, a distance of 8.23 feet to a 5/8 inch iron rod with a yellow plastic cap marked "RODS SURVEYING INC" set for an angle corner in the existing north right-of-way line of US 83 Expressway;
- 5. THENCE, SOUTH 53° 46' 24" WEST, with the existing right of way line of US 83 Expressway, a distance of 133.93 feet to an angle corner;
- 6. THENCE, NORTH 81° 25' 28" WEST, with the existing northerly line of said US 83 Expressway, a distance of 331.58 feet, to the southwesterly corner of said 1.0034 acre tract, the southeasterly corner of said Tract 1;
- 7. THENCE, NORTH 08° 56' 32" EAST, with the common line of said Tract 1 and said 1.0034 acre tract, a distance of 37.00 feet, to the POINT OF BEGINNING and containing 0.400 of one acre (17,421 square feet) of land more or less.

A plat of same date accompanies this metes and bounds description.

Registored Professional Land Surveyor

RODS Surveying, Inc. Revised September 2004



KFLP LIMITED DOC, NO. 877801 D.R.M.C. 6-2-00

SCALE 17"-100"

NICOLAS ZAMORA PORCION 48. ABSTRACT No. 76

EXPRESSWAY ACRES SUBDIVISION. VOLUME 22. PAGE 175. M.R.M.C.

REVISED : SEPTEMBER, 2004

EXISTING TAKING REMAINING

1,0034 AC. 0,400 AC. 0,6034 AC. 17,421 SQ.FT.

RIGHT OF WAY SKETCH SHOWING PROPERTY OF

Parcel No. 74

US 83

HIDALGO COUNTY

RCSJ 0039-17-144 שרושה ביוםיובהדים בינ

Notes:

- 1. All bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone, North American Datum 1983, (1993 adjustment), All Distances and Coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.999980.
- 2. Set indicates a 5/8 inch iron rod with plastic cap marked "RODS Surveying, inc."
- 3. Survey fine locations are approximate and based an the best available evidence.
- 4. A meter and bounds description of same date accompanies this plat.

# MINUTE ORDER EXHIBIT B PAGE 4 OF 4

**ROW Account:** 8021-01-067

CSJ 0039-17-144 County: Hidalgo

Highway No. US 83 Expressway, Palmview

Parcel 74

#### **CONTROL OF ACCESS CLAUSE:**

Access will be permitted to the North remainder abutting the highway facility along the foregoing property description.

# MINUTE ORDER EXHIBIT C PAGE 1 OF 3

January 12, 2005

County: Falls Highway: SH 6

Limits: from 0.3 Miles North of FM 413 To 0.236 Miles South of FM 46

ROW CSJ: 0049-04-059 ROW Account 8009-02-028

# Property Description Parcel 6

Being 0.303 of an acre of land situated in the PEDRO SALINAS SURVEY, Abstract 64, Falls County, Texas. Being a portion of a 0.62 acre tract (described as First Tract) conveyed to R.M. Swinnea, Jr., and wife Amy Swinnea by deed and recorded in Volume 14, Page 831 of the Official Public Records of Falls County.

Commencing at a set 5/8 inch iron rod with "GS" cap in the southerly right of way line of FM 413 (based on a width of 70 feet) and also in the northerly line of that certain tract of land called "2<sup>nd</sup> Tract" conveyed to R.M. Swinnea, Jr., and wife Amy Swinnea by deed and recorded in Volume 14, Page 831 of the Official Public Records of Falls County.

Thence, southwesterly 129.07 feet along the arc of a curve to the right (delta: 09°00'30", Radius: 820.95 feet, Chord: South 53°26'10" West 128.94 feet), also the southerly right of way line of FM 413 and the northerly line of said "2<sup>nd</sup> tract" to a set 5/8 inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap marking the Beginning of an Access Denial Line in the proposed easterly right of way line of SH 6 and the northeast corner of that certain tract of land conveyed to Wilbert Lockridge and recorded in Volume 77 Page 444 of the Official Public Records of Falls County.

Thence South 33°13'50" East 124.42 feet along the proposed easterly right of way line of SH 6 and along a Access Denial Line, also along the easterly line of said Lockridge tract to a set 5/8 inch iron rod with TxDOT aluminum cap at the southeasterly corner of said Lockridge tract and also being in the northerly line of said 0.62 acre tract.

Thence South 57°26'15" West 21.90 feet along the proposed easterly right of way line of SH 6 and along a Access Denial Line, also along the southerly line of said Lockridge tract and the northerly line of said 0.62 acre tract to a set 5/8 inch iron rod with TxDOT aluminum cap for the Point of Beginning.

1) Thence South 34°05'55" East 125.60 feet along the proposed easterly right of way line of SH 6, also along a Access Denial Line to a set 5/8 inch iron rod with TxDOT aluminum cap marking the End of the Access Denial Line in the southerly line of said 0.62 acre tract and the northerly line of that certain called 89.51 acre tract conveyed to Michael D. Vader and wife, Denise D. Vader by deed and recorded in Volume 315, Page 670 of the Falls County Deed Records.

- 2) Thence South 57°26'15" West 106.10 feet along the southerly line of said 0.62 acre tract and along the northerly line of said 89.51 acre tract, to a set 5/8 inch iron rod with "GS" cap in the easterly line of that certain called 1.92 acres conveyed to Jimmy L. Land by deed and recorded in Volume 91, Page 404 of the Official Public Records of Falls County.
- 3) Thence North 33°13′ 50" West 125.56 feet along the easterly line said 1.92 acres and the westerly line of said 0.62 acre tract to a set 5/8 inch iron rod with "GS" cap in the centerline of a unimproved 20 foot wide alley and the southerly line of said Lockridge tract, also being in the northerly line of said 0.62 acre tract.
- 4) Thence North 57°26'15" East 104.20 feet along the centerline of a unimproved 20 foot wide alley and the southerly line of said Lockridge tract, also the northerly line of said 0.62 acre tract to the Point of Beginning and containing 0.303 of an acre, more or less.

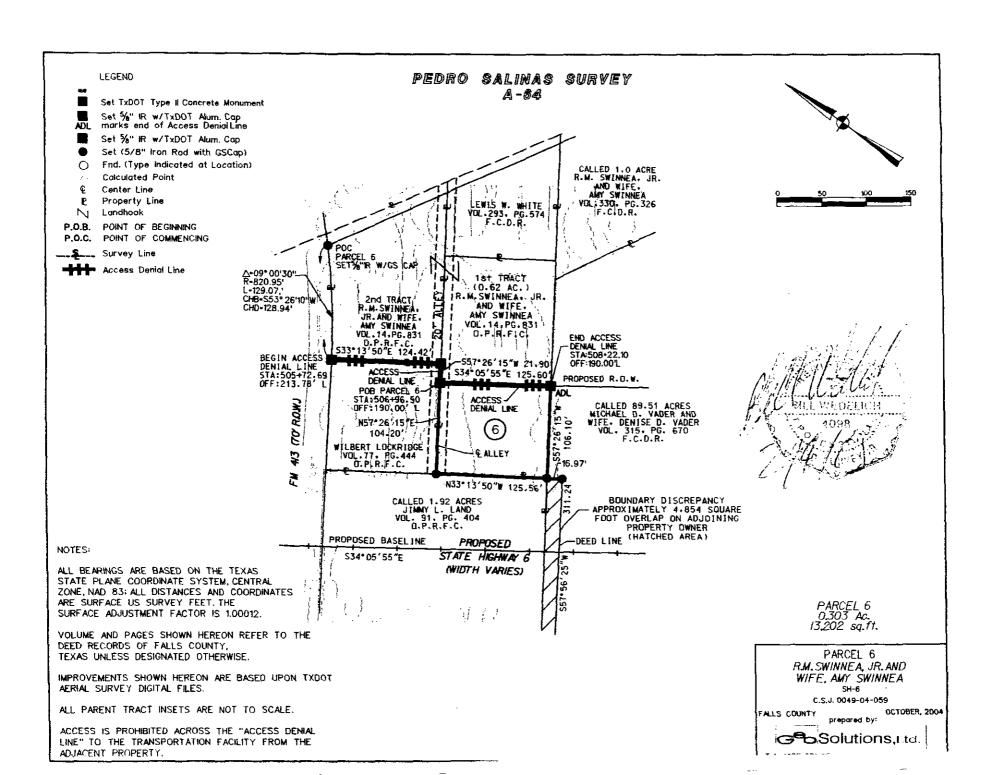
Basis of bearings is the Texas State Plane Coordinate System, Central Zone, North American Datum 1983 (NAD 83). All coordinates adjusted to the surface using project surface adjustment factor of 1.00012. Survey control monuments and surface adjustment factor furnished by TxDOT.

Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

A survey was performed on the ground under my supervision on July, 2004.

See attached 8 1/2" x 11" plat that accompanies.

Prepared by: GeoSolutions Ltd. 1440 Lake Front Circle, Suite 110 The Woodlands, Texas 77380 Phone Number (281)681-9766



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# MINUTE ORDER EXHIBIT D PAGE 1 OF 12

March, 2004

CSJ Number: 0086-14-037

County: Webb
Highway: Loop 20

Project Limits: From: 0.20 mi. South of SPUR 400

To: 1.68 mi. North of U.S. 59

#### FIELD NOTES FOR PARCEL NO. 1

Being 3.5664 acres (155,352 square feet) of land, the grand total of Parts 1, 2, 3 and 4, out of Porcion 29, Abstract No. 3086, Webb County, Texas, Juan B. Villarreal, Original Grantee, being part of the residue of that certain 657.0736 acre tract, conveyed from Killam & Hurd Ltd., to Killam Oil Company, by deed dated December 31, 1981, recorded in Volume 684, Page 459, Deed Records of Webb County, Texas; the subject grand total, 3.5664 acres of land, being more particularly described in four parts by metes and bounds as follows:

#### PART 1

COMMENCING at a the southwest corner of Lot 1, Block 1, Ponderosa Hills Subdivision, Unit 1, as shown on plat thereof recorded in Volume 21, Page 49, Plat Records of Webb County, Texas, from which a 5/8-inch iron rod found bears, South 05°45'33" East, a distance of 0.33 feet, being on the northerly right of way line of Fairfield Drive, based on an 80 foot width, thence as follows:

South 08°10'49" West, across the right of way of Fairfield Drive, a distance of 80.10 feet, to a point on the southerly right of way line of said Fairfield Drive, being the northwesterly corner of Block 7, Ponderosa Hills Subdivision, also being on a curve to the right, having a radius of 472.21 feet;

In a Westerly direction with said southerly right of way line, along said curve to the right, having a central angle of 24°05'56", a radius of 472.21 feet, an arc length of 198.61 feet, a chord bearing and distance of North 72°19'12" West, 197.15 feet, to the point of tangency;

North 60°16'14" West, continuing with the southerly line of said Fairfield Drive, a distance of 83.86 feet to a point for corner on the northeast end of a cutback line;

South 74°42'23" West, along said cutback line of Fairfield Drive, a distance of 9.97 feet, to the proposed east right of way line of Loop 20 for the **POINT OF BEGINNING** of the herein described parcel, having surface coordinates of X=677,647.44 and Y=17,080,350.12. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a surface adjustment factor of 1.000030;

1. THENCE, SOUTH 29°46'27" WEST, continuing with said proposed right of way line, a distance of 487.80 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner;

- 2. THENCE, SOUTH 29°57'18" WEST, continuing with said proposed right of way line, a distance of 207.55 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner;
- 3. THENCE, NORTH 60°02'43" WEST, a distance of 12.19 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner on the existing easterly right of way line of Loop 20 based on a 120 foot width;
- 4. THENCE, NORTH 29°46'01" EAST, with said existing easterly line of Loop 20, a distance of 682.35 feet to a point for corner on the southwest end of a cutback line from Fairfield Drive;
- 5. THENCE, NORTH 74°42'23" EAST, along said cutback line of Fairfield Drive, a distance of 18.31 feet, to the POINT OF BEGINNING and containing 0.2023 of one acre (8,810 square feet) of land in Part1.

#### PART 2

**COMMENCING** at a 5/8-inch iron rod found for the southwest corner of Lot 46, Block 6, Towne East Subdivision, Phase IV, as shown on plat thereof recorded in Volume 13, Page 23, Plat Records of Webb County, Texas, being on the north right of way line of Ramirez Drive based on a 50 foot width, thence as follows:

South 03°10'32"West, across said Ramirez Drive, a distance of 50.00 feet, to a point on the southerly line of said Ramirez Drive;

North 86°49'28"West, with said southerly line of Ramirez Drive, a distance of 150.00 feet, to a point for the northeast end of a cutback line;

South 48°10'32"West, with said cutback line, a distance of 28.28 feet, to a point for the southwest end of said cutback line, being on the southerly right of way line of said Ramirez Drive, based on a 90 foot width;

North 86°49'28" West, continuing with the south line of said Ramirez Drive, a distance of 10.74 feet, to the Beginning of an Access Denial Line and the **POINT OF BEGINNING** of the herein described parcel, being on the proposed right of way line of Loop 20 and having surface coordinates of X=677,830.64 and Y=17,080,936.76 and proposed baseline station of 100+02.64 and an offset of 87.26 feet to the right. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a surface adjustment factor of 1.000030,

Parcel 1

- 1. THENCE, SOUTH 10°05'02" WEST, with said Access Denial Line and said proposed right of way line, a distance of 274.67 feet, to a point for corner on said proposed right of way line;
- 2. THENCE, SOUTH 24°17'55" WEST, continuing with said Access Denial Line and said proposed right of way line of Loop 20, a distance of 216.63 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner of the existing easterly right of way of Loop 20, for the end of said Access Denial Line, being on a curve to the left having a radius of 1,346.09 feet and having a proposed baseline station of 95+38.69, with an offset of 81.41 feet to the right;
- 3. **THENCE**, in a northeasterly direction, with said existing right of way line, along said curve to the left having a central angle of 20°40′59", a radius of 1,346.09 feet, an arc length of 485.92 feet, a chord bearing and distance of North 13°57′26" East, a distance of 483.29 feet, to the southerly line of Ramirez Drive;
- 4. THENCE, SOUTH 86°49'28" EAST, with said southerly right of way line, a distance of 20.70 feet to the POINT OF BEGINNING and containing 0.1185 of one acre (5,162 square feet) of land in Part 2.

#### PART 3

**COMMENCING** at a 5/8-inch iron rod found for the southwest corner of Lot 46, Block 6, Towne East Subdivision, Phase IV, as shown on plat thereof recorded in Volume 13, Page 23, Plat Records of Webb County, Texas, being on the north right of way line of Ramirez Drive based on a 50 foot width, thence as follows:

North 86°49'28"West, with the northerly line of Ramirez Drive, a distance of 150.00 feet, to a point for the southeast end of a cutback line;

North 41°49'28"West, with said cutback line, a distance of 28.28 feet, to a point for the northwest end of said cutback line, being on the northerly right of way line of said Ramirez Drive, based on a 90 foot width and being the **POINT OF BEGINNING** of the herein described parcel, having surface coordinates of X=677,846.35 and Y=17,081,026.03. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a surface adjustment factor of 1.000030;

- 1. THENCE, NORTH 86°49'28" WEST, continuing with said northerly right of way line, a distance of 31.64 feet, to a point for corner on the existing easterly line of Loop 20 width varies:
- 2. THENCE, NORTH 02°59'49" EAST, with the existing easterly right of way line of Loop 20, a distance of 190.00 feet, to a point for corner on the southerly right of way line

Parcel 1

of Campos Drive based on a 90 foot width, as shown on the Towne East Subdivision, Phase III, recorded in Volume 11, Page 70, Plat Records of Webb County, Texas;

- 3. THENCE, SOUTH 86°49'28" EAST, with said southerly line of Campos Drive, a distance of 32.23 feet, to a point for corner on the southwest end of a cutback line;
- 4. THENCE, NORTH 48°10'32" EAST, with said cutback line, a distance of 28.28 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner of the proposed easterly right of way of Loop 20;
- 5. THENCE, SOUTH 08°36'57" WEST, with said proposed easterly right of way line, a distance of 210.95 feet to the POINT OF BEGINNING and containing 0.1829 of one acre (7,968 square feet) of land in Part 3.

#### PART 4

**COMMENCING** at a 5/8-inch iron rod found for the southwest corner of Lot 46, Block 6, Towne East Subdivision, Phase IV, as shown on plat thereof recorded in Volume 13, Page 23, Plat Records of Webb County, Texas, being on the north right of way line of Ramirez Drive based on a 50 foot width, thence as follows:

North 03°10'32" East, with the westerly line of said Block 6, at 230.00 feet passing the south right of way line of Campos Drive, based on a 50 foot width, being the northwest corner of Block 6, Towne East Subdivision, Phase III, as shown on plat thereof recorded in Volume 11, Page 70, Plat Records of Webb County, Texas, a total distance of 280.00 feet, to a point for the southwest corner of Lot 1, Block 5, of said Phase III subdivision, and being on the north right of way line of said Campos Drive;

North 86°49'28" West, with the north line of said Campos Drive, a distance of 142.78 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for the **POINT OF BEGINNING** of the herein described parcel, having surface coordinates of X=677,887.93 and Y=17,081,284.12. All bearings and coordinates are based on the State Plane Coordinate System of Texas, South Zone, North American Datum 1983 (1993 adjustment). All distances and coordinates are surface and may be converted to grid by dividing by a surface adjustment factor of 1.000030;

- 1. **THENCE, NORTH 86°49'28" WEST,** continuing with said north line of Campos Drive, a distance of 7.22 feet to the east end of a cut-back;
- 2. THENCE, NORTH 41°49'28" WEST, with said cutback line, a distance of 28.28 feet, to a point for corner on the north line of said Campos Drive based on a 90 foot width;

- 3. THENCE, NORTH 86°49'28" WEST, with said north right of way line, a distance of 32.51 feet, to a point for corner on the existing east right of way line of Loop 20, based on a 120 foot width;
- 4. THENCE, NORTH 02°59'49" EAST, with said existing east right of way line of Loop 20, a distance of 1089.11 feet, to an angle point for the southwest end of a cutback line from the south right of way line of U.S. Highway 59;
- 5. THENCE, NORTH 48°01'39" EAST, with said cutback line, a distance of 70.67 feet, to a point for corner on the south right of way line of said U.S. Highway 59, based on a 150 foot width:
- 6. THENCE, SOUTH 86°56'32" EAST, with the existing south right of way line of U.S. Highway 59, a distance of 200.50 feet, to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for the northeast corner of the herein described parcel, and being the northeast end of a cutback line from the proposed east right of way of Loop 20, also being the Beginning of an Access Denial Line, having surface coordinates of X= 678,139.09 and Y= 17,082,431.58 and an US59 existing baseline station of 194+53.74, with an offset of 60.00 feet to the right;
- 7. THENCE, SOUTH 58°37'46" WEST, with said cutback line along said proposed east right of way line and said Access Denial Line, a distance of 138.73 feet to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner on the proposed east right of way line of Loop 20, variable width;
- 8. THENCE, SOUTH 02°44'32" WEST, continuing with said Access Denial Line and said proposed east right of way line, at a distance of 224.80 feet, the end of said Access Denial Line, having surface coordinates of X= 678,009.89 and Y= 17,082,134.82 and a Loop 20 Proposed baseline station of 112+03.39, with an offset of 220.99 feet to the right and continuing for a total distance of 360.59 feet to a 5/8-inch iron rod with a Texas Department of Transportation aluminum disk set for corner on the proposed east right of way line of Loop 20, variable width;
- 9. THENCE, SOUTH 09°10'21" WEST, continuing with the proposed easterly right of way line of Loop 20, a distance of 724.33 feet to the POINT OF BEGINNING and containing 3.0627 acres (133,412 square feet) of land in Part 4, and a grand total of 3.5664 acres (155,352 square feet) of land.

#### ACCESS DENIAL LINE DESCRIPTION

Being an Access Denial Line delineating a denial of access to the transportation facility from the adjacent property along the common boundary of U.S.59, being part of the residue of that certain 657.0736 acre tract, conveyed from Killam & Hurd Ltd., to Killam Oil Company, by deed dated December 31, 1981, recorded in Volume 684, Page 459, Deed Records of Webb County, Texas; the subject grand total, 3.5664 acres of land, said Access Denial Line being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod with a TxDOT aluminum disk set for corner at the intersection of the existing southerly right of way line of US59 (based on 175 foot width) with the a cut-back line from the proposed easterly right of way line of Loop 20, (based on variable width), being the northeasterly corner of the above described Parcel 1, Part 4, having surface coordinates of X=678,139.09 and Y=17,082,431.58, having an existing US59 station of 194+53.74, with an offset of 60.00 to the right; all bearings and coordinates are based on the Texas State Plane Coordinate System, South Zone (4205), North American Datum of 1983, 1993 Adjustment. All distances and coordinates shown are surface and may be converted to grid by dividing by a reciprocal combined adjustment factor of 1.00003;

THENCE, SOUTH 86° 56' 32" EAST, with said existing south right of way line, a distance of 135.72 feet to the end of said Access Denial Line having an existing US59 baseline of 195+89.46, with an offset of 60.00 to the right and having surface coordinates of X=678,274.62 and Y=17,082,424.34

THENCE, SOUTH 86° 56' 32" EAST, continuing with said existing south right of way line, a distance of 135.72 feet to the beginning of a second Access Denial Line, having an existing US59 baseline of 196+19.46, with an offset of 60.00 to the right and having surface coordinates of X=678,304.60 and Y=17,082,422.74;

THENCE, SOUTH 86° 56' 32" EAST, continuing with said existing south right of way line, a distance of 35.00 feet to the End of said second Access Denial Line, having an existing US59 baseline of 196+54.46, with an offset of 60.00 to the right and having surface coordinates of X=678,339.53 and Y=17,082,420.87

A plat of even date herewith accompanies this metes and bounds description. See exhibit plat "B".

Access is prohibited across the "ACCESS DENIAL LINE" to the transportation facility from the adjacent property.

## MINUTE ORDER EXHIBIT D PAGE 7 OF 12

Parcel 1

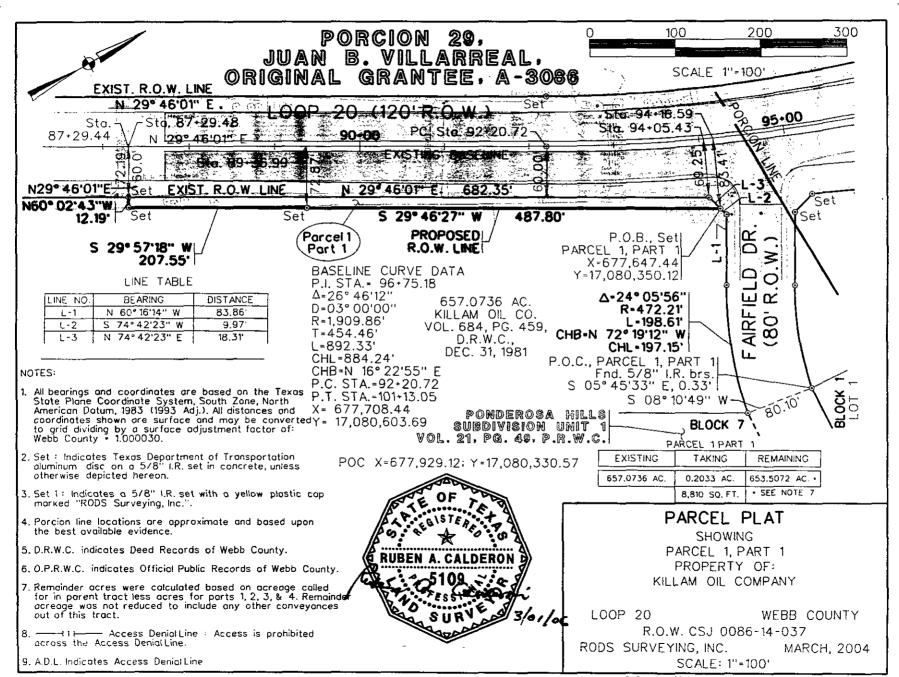
# STATE OF TEXAS: COUNTY OF WEBB:

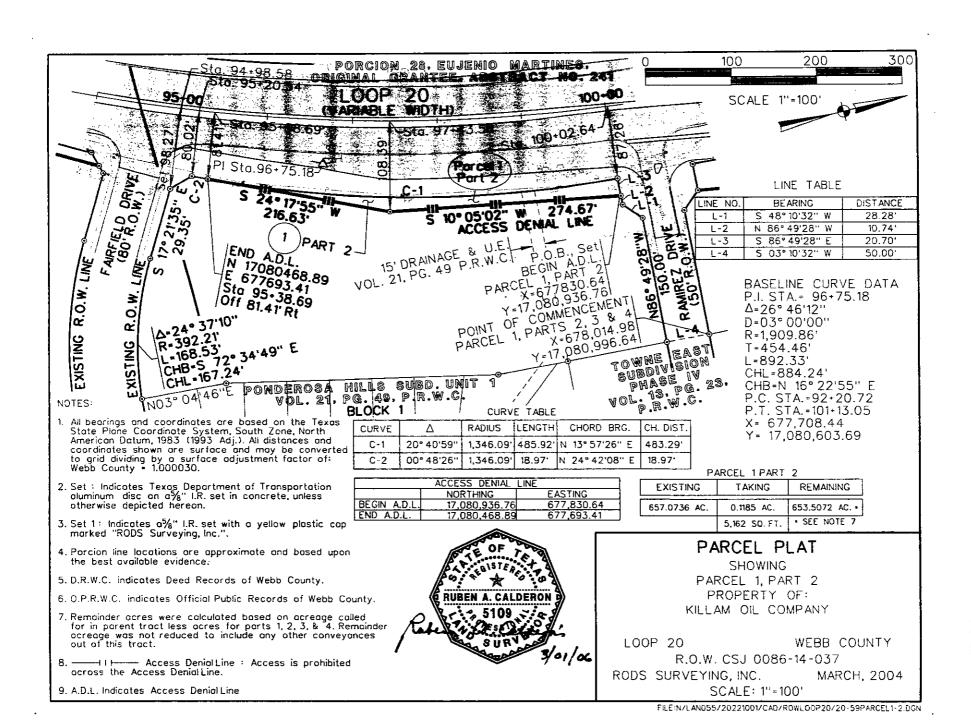
I hereby certify that this description is true and correct according to an actual survey made on the ground under my supervision.

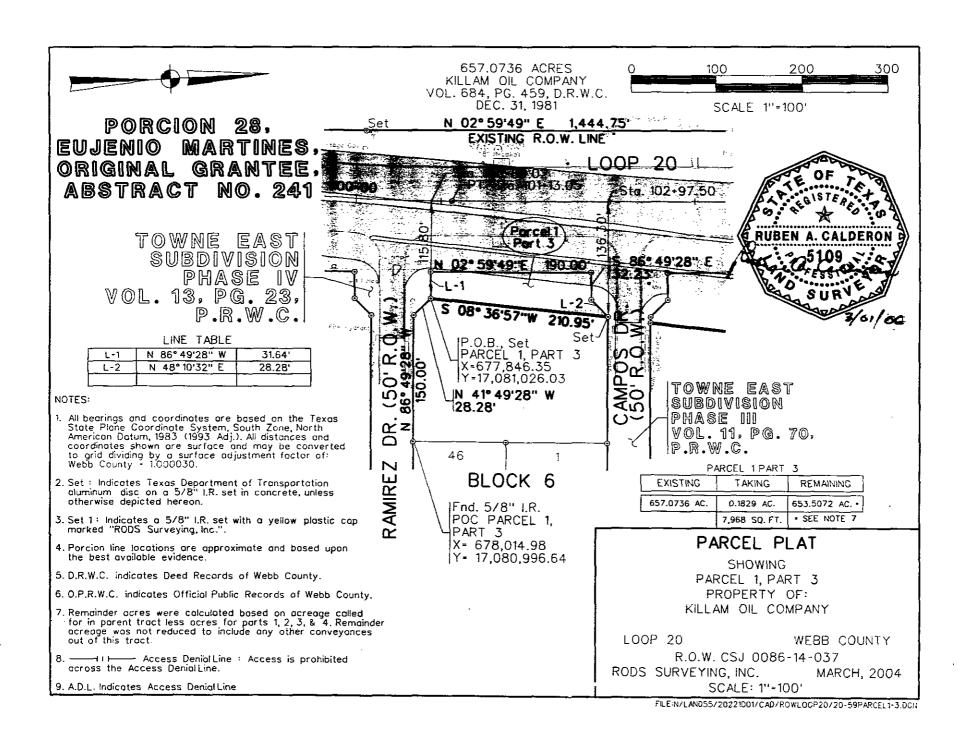
ground under my supervision.

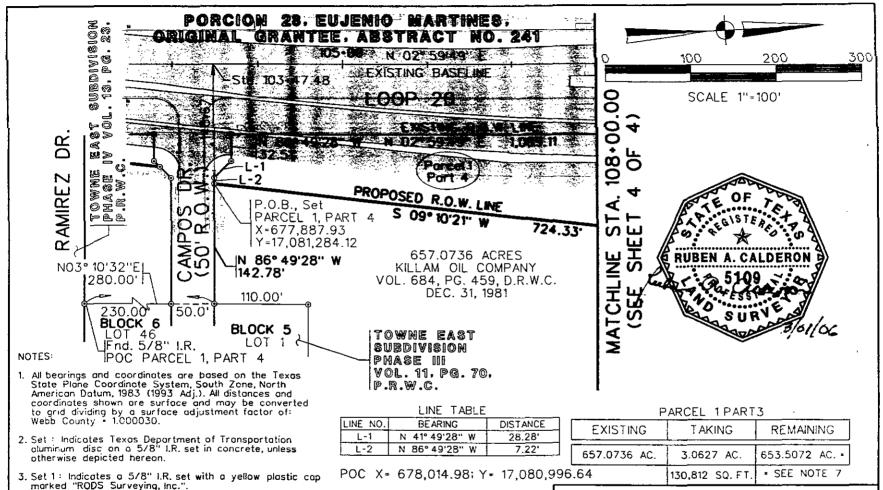
Registered Professional Land Survey, RODS Surveying, Inc.

DATE









4. Porcion line locations are approximate and based upon the best available evidence.

- 5. D.R.W.C. indicates Deed Records of Webb County.
- 6, D.P.R.W.C. indicates Official Public Records of Webb County.
- 7. Remainder acres were calculated based on acreage called for in parent tract less acres for parts 1, 2, 3, & 4. Remainder acreage was not reduced to include any other conveyances out of this tract.
- 8. --- Access DenialLine: Access is prohibited ocross the Access Denial Line.
- 9. A.D.L. Indictaes Access Denial Line

### PARCEL PLAT

SHOWING PARCEL 1, PART 4 PROPERTY OF: KILLAM OIL COMPANY

LOOP 20

WEBB COUNTY

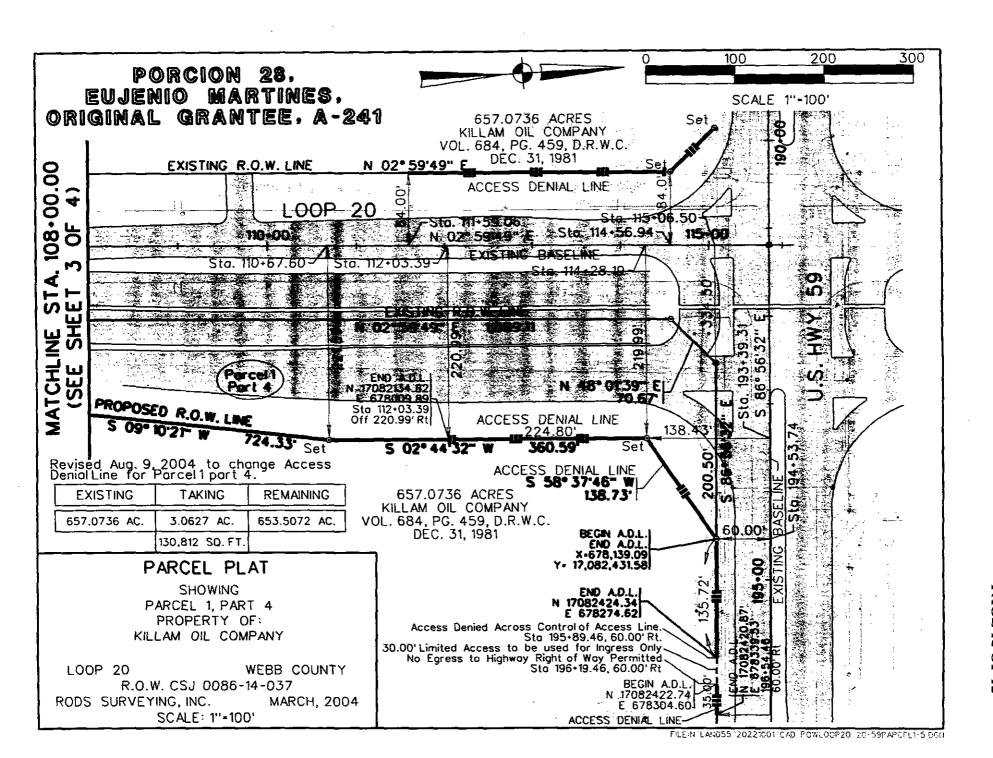
R.O.W. CSJ 0086-14-037

RODS SURVEYING, INC.

MARCH, 2004

SCALE: 1"=100'

FILE:N/LAN055/20221001/CAD/ROWLCOP20/20-59PARCEL1-4 DGN



## MINUTE ORDER EXHIBIT E PAGE 1 OF 4

August, 2002 Parcel 714

County:

Harris

Highway:

Interstate Highway 10

Project Limits: From 0.41 miles West of Washington Avenue to Taylor Street

Account No.: 9112-00-023

#### PROPERTY DESCRIPTION FOR PARCEL NO. 714

Being a 0.0248 acre (1,081 square feet) parcel of land situated in the John Austin Survey, Abstract 1, Harris County, Texas being part of and out of the Northerly portion of a deed called 0.106 acre tract conveyed to Doris Gwendolyn Lee from Emma Armbrister as described in Harris County Clerks File Number E778921 Film Code Number 142-01-0149 of the Official Public Records of Real Property Harris County (O.P.R.R.P.H.C.), Texas, dated May 24, 1976; said 0.0248 acre parcel being further described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod set for the Southeast corner of the said 0.106 acre tract, and the Southwest corner of the Crownpoint Homes, L.L.C. 0.0997 acre tract as described in Harris County Clerks File Number U139188, Film Code Number 529-77-0089, Official Public Records of Real Property Harris County (O.P.R.R.P.H.C.), Texas, dated December 17, 1999; having coordinates X = 3,110,026.10, Y = 13,849,035.95; all bearings and coordinates are based on the Texas State Plane Coordinate system (NAD 83, 1993 adjustment), South Central Zone, all distances and coordinates shown are surface and may be converted to grid by multiplying by a combined adjustment of 0.999870;

THENCE, North 02 degrees 48 minutes 40 seconds West, along the West line of the said 0.0997 acre tract, along the East line of the said 0.106 acre tract, a distance of 67.15 feet to a  $\frac{4}{100}$  inch iron rod with TxDOT aluminum cap set with coordinates X = 3,110,022.81 and Y = 13,849,103.02, being a point on a curve to the right having a radius of 5,904.70 feet, on the proposed South right-of-way line of Interstate Highway 10 (variable width) and being the POINT OF BEGINNING;

- 1.) THENCE, in a northwesterly direction, along the proposed South right-of-way line of Interstate Highway 10 (variable width), said curve to the right, having a radius of 5,904.70 feet, a central angle of 00 degrees 29 minutes 25 seconds, a distance of 50.52 feet, whose chord bears North 84 degrees 33 minutes 11 seconds West, a chord distance of 50.52 feet to a % inch iron rod with TxDOT aluminum cap set on the west line of the said 0.106 acre tract;
- 2.) THENCE, North 02 degrees 48 minutes 40 seconds West, along the west line of the said 0.106 acre tract and the east line of the BMI Investments, Inc. 0.110 acre tract as described in Harris County Clerks File Number T143211, Film Code Number 519-83-1656 of the Official Public Records of Real Property Harris County (O.P.R.R.P.H.C.), dated July 8, 1998, a distance of 19.83 feet to a point on the existing South right-of-way line of Interstate Highway 10 (variable width):

## MINUTE ORDER EXHIBIT E PAGE 2 OF 4

August, 2002 Parcel 714

- 3.) THENCE, South 88 degrees 31 minutes 12 seconds East, along the existing South right-of-way line of Interstate Highway 10 (variable width), a distance of 50.14 feet to a point on the East line of the said 0.106 acre tract, and the West line of the said 0.0997 acre tract;
- 4.) THENCE, South 02 degrees 48 minutes 40 seconds East, along the east line of the said 0.106 acre tract, and the west line of the said 0.0997 acre tract, a distance of 23.34 feet to the POINT OF BEGINNING and containing 0.0248 acre (1,081 square feet) of land.

A plat of even survey date accompanies this legal description. Areas given for adjoining tracts are approximate. Access will not be permitted to the south remainder abutting the highway facility along call 1 of the foregoing property description.

Allen Munz, R.P.L.S. #1855

ALLEN MUNZ

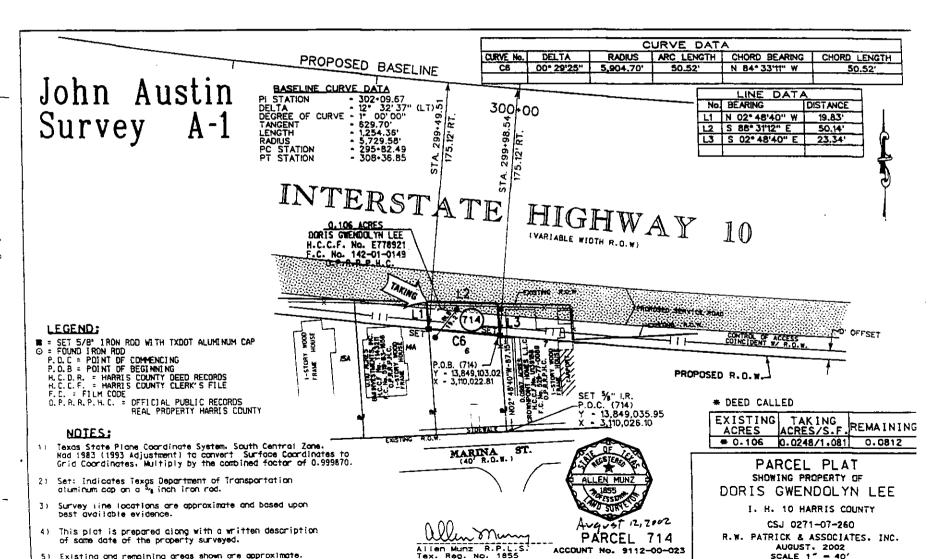
1855

SURVE

August 12, 2002

5) Existing and remaining areas shown are approximate.

SCALE 1" - 40"



## MINUTE ORDER EXHIBIT E PAGE 4 OF 4

August, 2002 Parcel 714

Account No.: 9112-00-023

County:

Harris

ROW CSJ:

0271-07-260

Project Limits: IH 10 - 0.41 miles West of Washington Avenue to Taylor Street

# CONTROL OF ACCESS CLAUSE AND IN ADDITION THERETO:

Access will not be permitted to the south remainder abutting the highway facility along call 1 of the foregoing property description.

## MINUTE ORDER EXHIBIT F PAGE 1 OF 3

August, 2002 Parcel 718

County:

Harris

Highway:

Interstate Highway 10

Project Limits: From 0.41 miles West of Washington Avenue to Taylor Street

Account No.: 9112-00-023

#### PROPERTY DESCRIPTION FOR PARCEL NO. 718

Being a 0.0262 acre (1,143 square feet) parcel of land situated in the John Austin Survey, Abstract 1, Harris County, Texas being the northerly portion of a deed called 0.094 acre tract conveyed to Chancy and Dorothy M. Clark from Billie Jean Lawson, dated December 29, 1983, as described in Harris County Clerks File Number J448057, Film Code Number 078-89-1583 of the Official Public Records of Real Property Harris County (O.P.R.R.P.H.C.), Texas; said 0.0262 acre parcel being further described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod set for the Southeast corner of the said 0.094 acre tract and the West right-of-way line of Bass Street (variable width), having coordinates X = 3,110,402.32, Y = 13,849,054.96; all bearings and coordinates are based on the Texas State Plane Coordinate system (NAD 83, 1993 adjustment), South Central Zone, all distances and coordinates shown are surface and may be converted to grid by multiplying by a combined adjustment of 0.999870;

THENCE, North 02 degrees 38 minutes 15 seconds West, along the East line of the said 0.094 acre tract, and the West right-of-way line of Bass Street, a distance of 25.85 feet to a % inch iron rod with TxDOT aluminum cap set with coordinates X = 3,110,401.13 and Y = 13,849,080.79, on a curve to the right having a radius of 5,904.70 feet, being on the proposed South right-of-way line of Interstate Highway 10 (variable width) being the POINT OF BEGINNING;

- 1.) THENCE, in a northwesterly direction along the proposed South right-of-way line of Interstate Highway 10 (variable width), said curve to the right, having a radius of 5,904.70 feet, a central angle of 00 degrees 58 minutes 25 seconds, a distance of 100.33 feet, whose chord bears North 87 degrees 59 minutes 22 seconds West, a chord distance of 100.33 feet to a % inch iron rod with TxDOT aluminum cap set on the West line of the said 0.094 acre tract;
- 2.) THENCE, North 02 degrees 38 minutes 15 seconds West, along the West line of the said 0.094 acre tract, same being the East line of the Nancy Jones 0.115 acre tract as described in Harris County Clerks File Number P178293, Film Code Number 125-50-0788, of the Official Public Records of Real Property Harris County (O.P.R.R.P.H.C.), dated April 12, 1993, a distance of 16.42 feet to a point on the existing South right-of-way line of Interstate Highway 10 (variable width);
- 3.) THENCE, South 82 degrees 12 minutes 52 seconds East, along the existing South right-of-way line of Interstate Highway 10 (variable width), a distance of 101.68 feet to a point on the East line of the said 0.094 acre tract;

## MINUTE ORDER EXHIBIT F PAGE 2 OF 3

August, 2002 Parcel 718

4.) THENCE, South 02 degrees 38 minutes 15 seconds East, along the East line of the said 0.094 acre tract, along the West right-of-way line of Bass Street, a distance of 6.16 feet to the POINT OF BEGINNING and containing 0.0262 acres (1,143 square feet) of land.

A plat of even survey date accompanies this legal description. Areas given for adjoining tracts are approximate. Access will not be permitted to the south remainder abutting the highway facility along call 1 of the foregoing property description.

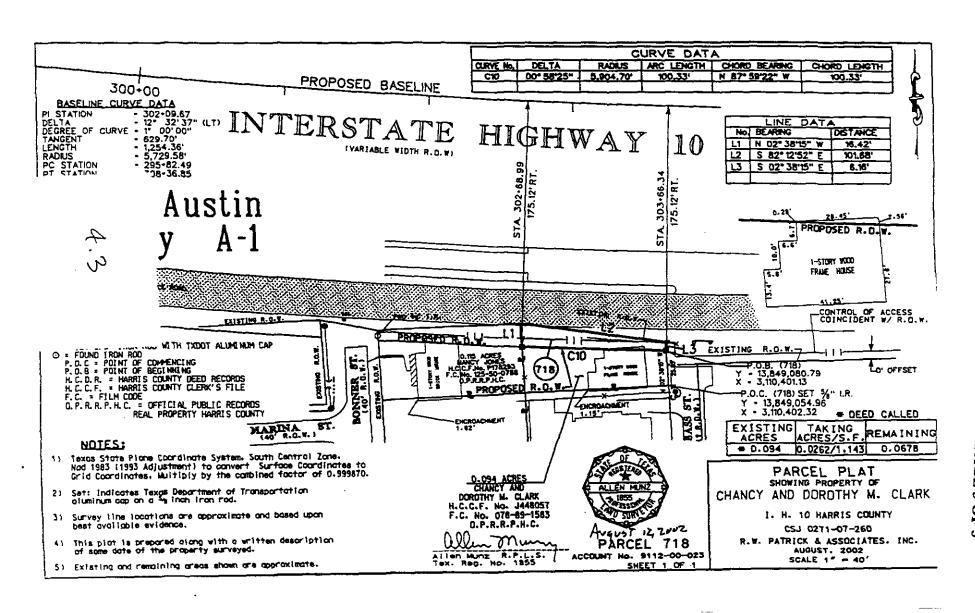
Allen Munz, R.P.L.S. #1855

ALLEN MUNZ

1855

SURVE

August 12,2002



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## MINUTE ORDER EXHIBIT G PAGE 1 OF 6

Parcel 684E
Account 9112-00-025
Highway IH 10W
County Harris

#### **EASEMENT PREAMBLE**

AN EASEMENT, together with all fixed improvements located thereon, if any, for the purpose of opening, construction and maintaining a permanent drainage channel in, along, upon and across the following described tract of land, with the right and privilege at all times of having ingress, egress and regress in, along, upon and across such tract of land for the purpose of making additions to, improvements on and repairs to the said drainage channel or any part thereof, said tract of land being hereinafter described by the metes and bounds of the follows:

## MINUTE ORDER EXHIBIT G PAGE 2 OF 6

July, 2005 Parcel 684E

County:

Harris

Highway:

Interstate Highway 10

**Project Limits:** 

From 0.03 Mi W. of Tri-Oaks Lane

to Attingham Drive

Account:

9112-00-025

#### PROPERTY DESCRIPTION FOR PARCEL 684E

Being a 0.0036 acre (156 square feet) parcel of land out of the Christiana Williams Survey, Abstract No. 834, Harris County, Texas, being a portion of that certain 7.693 acre tract conveyed from Korean Central Presbyterian Church of Houston to Wilcrest Venture, LTD., by deed dated December 27, 2000, and recorded under Clerk's File No. U802686 of the Official Public Records of Real Property Harris County (O.P.R.R.P.H.C.), said 0.0036 acre parcel being more particularly described as follows: (All bearings and coordinates are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum 1983, 1993 Adjustment; all distances and coordinates shown are surface and may be converted to grid by multiplying by a combined scale factor of 0.999870).

COMMENCING at a 5/8-inch iron rod with cap found at the northeast corner of a 3.876 acre tract conveyed from PPM Realty, LTD. to MH 3.876, LTD., by deed dated July 25, 2003, and recorded under Clerk's File No. W881326 of the O.P.R.R.P.H.C., the southeast corner of a 6.0273 acre tract conveyed from Rescom Center to Robert Dupre, Michael Barrack, and Thomas Wilkinson, by deed dated June 28, 1981, and recorded under Clerk's File No. H029931 of the O.P.R.R.P.H.C., and lying in the west right-of-way line of Upland Drive (60 feet wide), and recorded in Volume 18, Page 32 of the Harris County Map Records (H.C.M.R.); thence as follows:

NORTH 87 degrees 59 minutes 10 seconds EAST, a distance of 60.00 feet to a point lying in the west line of said 7.693 acre tract, and the east right-of-way line of Upland Drive (60 feet wide):

SOUTH 02 degrees 00 minutes 50 seconds EAST, a distance of 358.54 feet along the west line of said 7.693 acre tract and said east right-of-way line of Upland Drive (60 feet wide) to a Texas Department of Transportation (TxDOT) aluminum disk set on a 5/8-inch iron rod in the proposed north right-of-way line of Interstate Highway 10 (IH 10) (width varies);

SOUTH 47 degrees 03 minutes 17 seconds EAST, a distance of 7.77 feet along said proposed north right-of-way line of IH 10 to a TxDOT aluminum disk set on a 5/8-inch iron rod;

Paul Ray Suite

July, 2005 Parcel 684E

NORTH 88 degrees 41 minutes 36 seconds EAST, at 140.75 feet pass a TxDOT aluminum disk set on a 5/8-inch iron rod for station 1510+00, and continuing a total distance of 253.62 feet along said proposed north right-of-way line of IH 10 to a TxDOT aluminum disk set on a 5/8-inch iron rod at the POINT OF BEGINNING and southwest corner of the herein described parcel, having a Texas State Plane Coordinate Value of X = 3,054,949.85, Y = 13,850,790.66;

- 1.) THENCE, NORTH 01 degrees 18 minutes 24 seconds WEST, a distance of 6.00 feet to a TxDOT aluminum disk set on a 5/8-inch iron rod at the northwest corner of the herein described parcel;
- 2.) THENCE, NORTH 88 degrees 41 minutes 36 seconds EAST, a distance of 26.00 feet to a TxDOT aluminum disk set on a 5/8-inch iron rod at the northeast corner of the herein described parcel;
- 3.) THENCE, SOUTH 01 degrees 18 minutes 24 seconds EAST, a distance of 6.00 feet to a TXDOT aluminum disk set on a 5/8-inch iron rod at the southeast corner of the herein described parcel, and lying in said proposed north right-of-way line of IH 10;
- 4.) THENCE, SOUTH 88 degrees 41 minutes 36 seconds WEST, a distance of 26.00 feet along said proposed north right-of-way line of IH 10 to the POINT OF BEGINNING, and containing 0.0036 acre (156 square feet) of land.

A parcel plat of even date was prepared to accompany this property description.

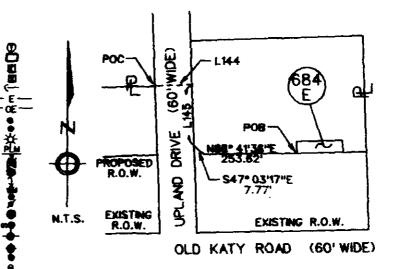
Access will be permitted to the northerly remainder abutting the highway facility.

#### LEGEND

IP	iron Pipe
LR.	Iron Red
O.P.R.R.P.H.C.	Official Public Records of
	Real Property Harris County
HCDR	
HCF.CD.	
1203.00	District
HCMR.	Harris County Map Records
Fnd.	
C.C.F.	County Clerk's File Number
F.C.	Film Code Number
R.O.W.	Right of Way
Vol	
Po.	
Δ	<del>-</del> <del>-</del> <del>-</del>
<b>6</b> 5	
LC	Length of Chord
R	Radius
U.E.	Utility Eggement
D.E.	Drainage Easement
BL.	Building Line
T.C.	Tap of Curb
R.C.P.	Reinforced Concrete Pipe
C.M.P.	Corrugated Metal Pipe
·	

BILL BOARD SIGN	- V
CABLE PEDESTAL/BOX INDERGROUND CABLE MARKER	
TELEPHONE PEDESTAL WATER LINES	ā
SAN SEWER LINES	
STORM LINES FORCE MAIN	

TELEPHONE MANHOLE	<b>m</b>
ELECTRIC BOX	ð
ELECTRIC PEDESTAL ELECTRIC TRANSFORMER	10
ELECTRIC TRANSFORMER	
GLY WIFE	<del>(-</del> -
UNDERGROUND ELECTRIC OVERNEAD ELECTRIC	— E —
METER POLE	-ae-
POWER POLE	•
LIGHT POLE	**
PPELNE MARKER	ρŪм
GAS VALVE	T
GAS METER	5
PIPELINE VENT	1
WATER METER	Ť
water valve	7
WATER WELL	•
SPRINGER HEAD	or 🗣
FIRE HYDRANT	•
BENCHMARK	•
MON PPE	•
JON ROD	
BANGED WINE FENCE	x
CHAIN LINK FENCE UNLESS NOTED OTHERWISE	//
MOTED OTHERWISE	-
MAL BOX	
TRAFFIC SIGNAL POLE	
TRAFFIC SIGNAL BOX	
TRAFFIC BARRIER	=
AR RELEASE VALVE	
BLOW OFF VALVE	ĕ
STORM MANHOLE	Ğ
SANL SEWER MANHOLE	Ť
SAN, SEWER CLEAN OUT	ላች
	-



EXISTING	TAKING	REMANDER
7.883 AC	0.0036 AC	7.693 AC
	156 S.F.	

IHEREBY CERTIFY THAT THIS PLAT & ACCOMPANYING LEGAL DESCRIPTION IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE, IS TRUE, AND CORRECT.

Part Ran Smitel Paul R. Smith No. 4646

LINE TABLE				
LINE No.	BEARING	DISTANCE		
L144	N87* 56'10"E	80.00		
L145	902" 00"50"E	358.54		

NOTE: A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

- HIF CONTROL OF ACCESS LINE
- INDICATES FOUND MONUMENT AS NOTED.
  - INDICATES SET %" I.R. WITH TXDOT ALUMINUM CAP. ALL COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM SOUTH CENTRAL ZONE, NAD 83 (1993 ADJ.) ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999870.



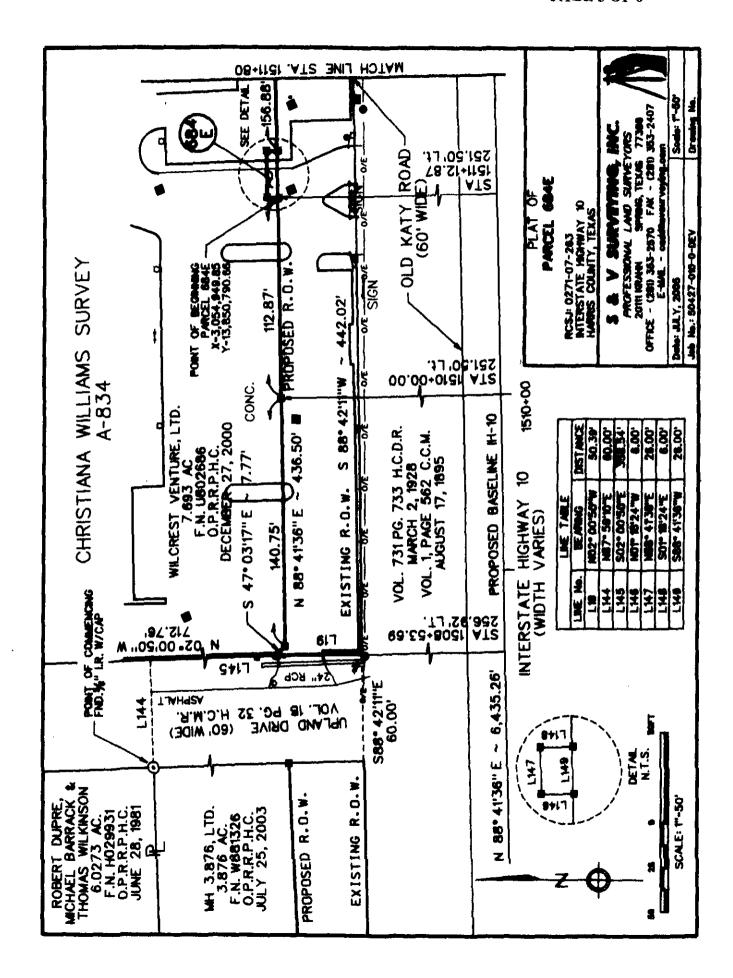
#### PLAT OF PARCEL 684E

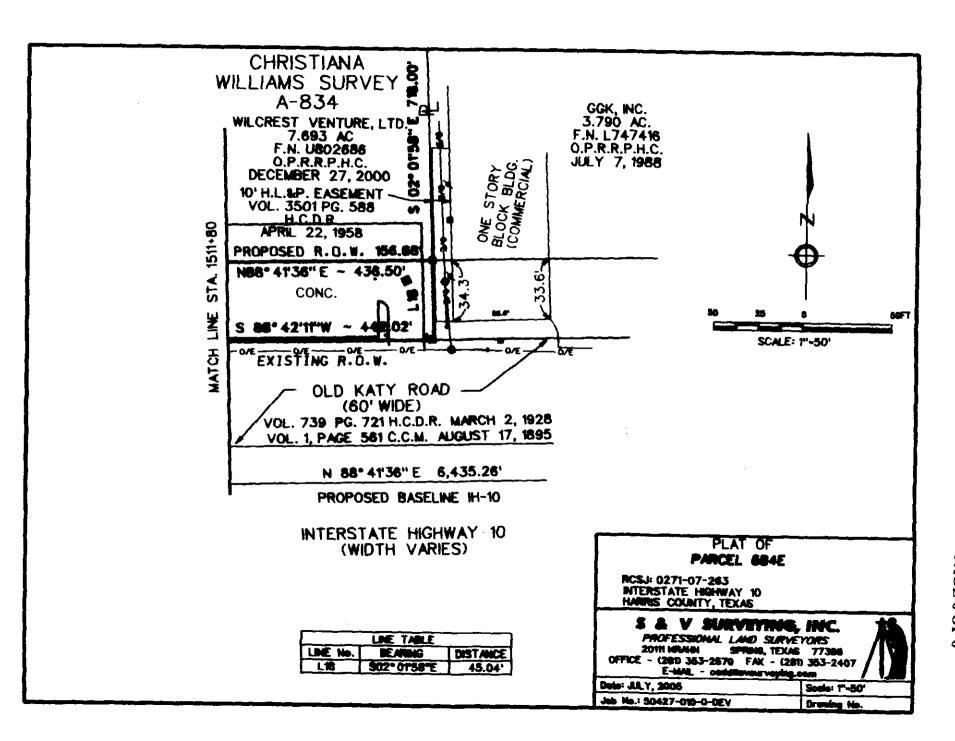
RCSJ: 0271-07-263 INTERSTATE HIGHWAY 10 HARRIS COUNTY, TEXAS

evering, inc. PROFESSIONAL LAND SURVEYORS

2011 KRAIN SPRING, TEXAS 77388 OFFICE - (281) 363-2570 FAX - (281) 353-2407

E-MAL - endellevateves Date: JALY, 2005 Sode: 1"-50" Jab No.: 80427-010-8-DEV Droubs No.





**County:** Liberty **R.C.S.J. No.:** 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 4

BEING a 3.0496 hectare (7.536 acres) tract or parcel of land out of and a part of the Thomas Devers Survey, Abstract No. 169, in Liberty County, Texas, and also out of and a part of that certain called 120.3144 hectare (297.3021 acres) tract of land described as TRACT ONE in Special Warranty Deed dated September 28, 1993, from Eugene Campbell to Transit Mix Concrete & Materials Company, a Delaware Corporation, recorded in Volume 1483, Page 672, Official Public Records of Liberty County, Texas, said 3.0496 hectare (7.536 acres) tract being more particularly described as follows:

Note: All bearings, latitude's and longitude's are referenced to the Texas State Plane Coordinate System, South Central Zone, Lambert Projection, NAD 83. All distances and acreages shown are surface. The scale factor is 0.999970. Convergence Angle is 02 40'32.33". Coordinates shown are in meters.

COMMENCING at a 19mm (3/4 inch) pinched top pipe found for the Southwest corner of that certain called 8.0937 hectares (20 acres) tract of land as described in Special Warranty Deed with Vendor's Lien, dated December 8, 1993, from Eugene Campbell to Rebecca Tooley, a feme sole, recorded in Volume 1493, Page 136, Official Public Records of Liberty County, Texas, and the Northwest corner of that certain called 40.4687 hectare (100.000 acres) tract as conveyed by Special Warranty Deed with Vendor's Lien, dated December 11, 1992, from Eugene Campbell to Rebecca B. Tooley, a feme sole, recorded in Volume 1444, Page 822, Official Public Records of Liberty County, Texas, said corner also being located on the East line of that certain called 1258.1727 hectare (3109 acres) tract of land described as TRACT ONE in Special Warranty Deed dated February 4, 1992, from Strother Timberlands, Ltd., an Alabama limited partnership to Eugene Campbell, recorded in Volume 1404, Page 346, Official Public Records of Liberty County, Texas;

THENCE NORTH 86°48'15" EAST, along the common line between said 8.0937 hectare (20 acres) tract and said 40.4687 hectare (100 acres) tract, for a distance of 404.944 meters (1328.55 feet) to a 25.4mm (1 inch) pinched top pipe found for the Southeast corner of said 8.0937 hectare (20 acres) tract and the Southwest corner of said 120.3144 hectare (297.3021 acres) tract, and also being in the North line of said 40.4687 hectare (100.000 acre) tract;

THENCE NORTH 86°48'15" EAST, along the common line between 120.3144 hectare (297.3021 acres) tract and said 40.4687 hectare (100.000 acre) tract, for a distance of 44.631 meters (146.43 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the proposed Southwesterly right of way line of State Highway No. 105 and being the POINT OF BEGINNING of the tract herein described (T.S.C. Y=3,084,181.0149, X=1,201,249.6377) (Engineer's Station 11+636.890, 50.011 meters (164.08 feet) right), and also being the Southwest corner of the herein described tract of land, said disk also being the beginning of a "Control of Access Line";

MARK W. WHITELEY AND ASSOCIATES, INC. .

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 4

1. **THENCE** NORTH 22°17'23" WEST, along and with the proposed Southwesterly right of way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 139.050 meters (456.20 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the East line of said 8.0937 hectares (20 acres) tract and the West line of said 120.3144 hectare (297.3021 acres) tract, said disk marking the end of this "Control of Access Line";

- 2. THENCE NORTH 03°34'07"WEST, along the common line between said 8.0937 hectares (20 acres) tract and said 120.3144 hectare (297.3021 acres) tract, for a distance of 68.894 meters (226.03 feet) to a 25.4mm (1 inch) pinched top pipe found for the Southeast corner of the remainder of that certain called 198.0967 hectare (489.506 acres) tract of land described as TRACT ONE in Special Warranty Deed dated December 9, 1991, from Louis J. Meyer, Jr. to Eugene Campbell, recorded in Volume 1439, Page 773, Official Public Records of Liberty County, Texas and the Northeast corner of said 8.0937 hectare (20 acres) tract, and being in the West line of said 120.3143 hectare (297.3121 acres) tract;
- 3. THENCE NORTH 03°47'09" WEST, along the common line between said remainder of 198.0967 hectare (489.506 acres) tract and said 120.3143 hectare (297.3121 acres) tract, for a distance of 243.845 meters (800.01 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on a non tangent curve to the right in the proposed Northeasterly right of way line of State Highway No. 105, whose radius is 1350 meters (4429.13 feet), delta angle is 01°33'24", and whose chord bears South 23°04'06" East, a distance of 36.680 meters (120.34 feet) and also being the most Northerly corner of the herein described tract of land, said disk also being the beginning of a "Control of Access Line":
- 4. THENCE in a Southeasterly direction along and with said curve to the right in the proposed Northeasterly right of way line of State Highway No. 105, the same being a "Control of Access Line", for an arc distance of 36.681 meters (119.36 feet) to a TXDOT concrete monument with brass disk set, said concrete monument being located on the point of tangency in said proposed Northeasterly right of way line;
- 5. THENCE SOUTH 22°17'23" EAST, along and with the proposed Northeasterly right of way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 433.478 meters (1422.14 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the South line of said 120.3144 hectare (297.3021 acres) tract and the North line of said 40.4687 hectare (100.000 acres) tract, and also being the Southeast corner of the herein described tract of land, and marking the end of this "Control of Access Line";

MARK W. WHITELEY AND ASSOCIATES, INC.

### MINUTE ORDER EXHIBIT H PAGE 3 OF 4

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 4

6. THENCE SOUTH 86°48'15" WEST, along the common line between said 120.3144 hectare (297.3021 acres) tract and said 40.4687 ha (100.000 acre) tract, for a distance of 105.822 meters (347.18 feet) to the **POINT OF BEGINNING** and containing 3.0496 hectares (7.536 acres) of land, more or less.

Access is prohibited across the "Control of Access Line" from the adjacent property.

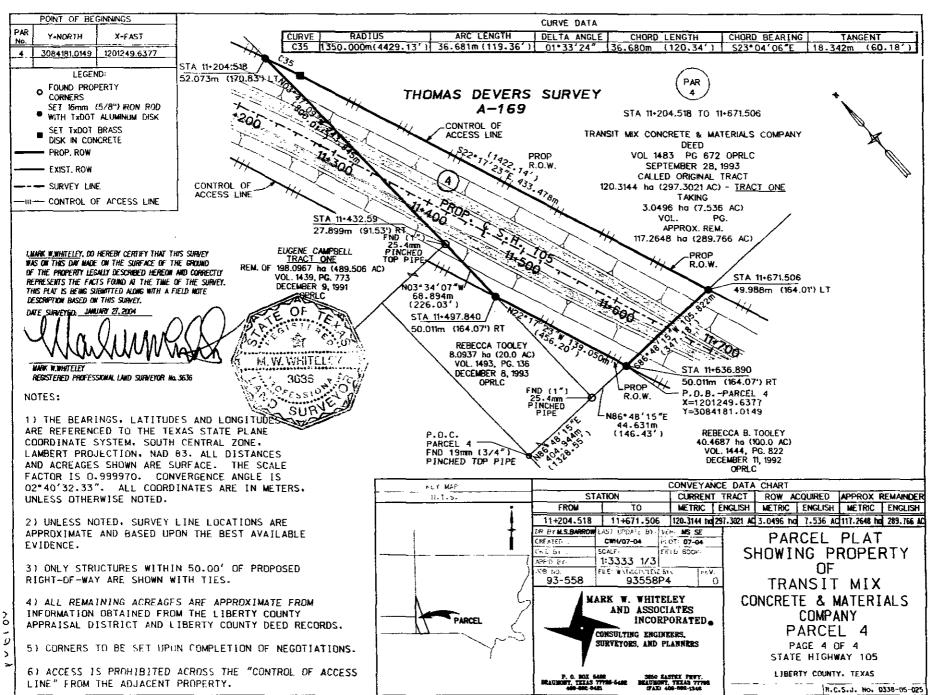
I, Mark W. Whiteley, Registered Professional Land Surveyor No. 3636, in the State of Texas, do hereby certify that the above field notes correctly reflect an actual survey made under my supervision and the limits, boundaries and corners are truly shown just as I found at the time of the survey.

This field note description is being submitted along with a plat of even date based on this survey.

Surveyed this the 27th day of January, 20

This field note description is submitted along with a plat of said part Note: Corners to be set upon completion of negotiations.





## MINUTE ORDER EXHIBIT I PAGE 1 OF 7

County: Liberty

R.C.S.J. No.: 0338-05-0259

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 12 Part 1

BEING a 0.0806 hectare (0.199 acre) tract or parcel of land out of and a part of the Thomas Devers Survey, Abstract No. 169, Liberty County, Texas, and also out of and a part of that certain called 8.0937 hectare (20 acres) tract of land as described in Special Warranty Deed with Vendor's Lien, dated December 8, 1993, from Eugene Campbell to Rebecca Tooley, a feme sole, recorded in Volume 1493, Page 136, Official Public Records of Liberty County, Texas, said 0.0806 hectare (0.199 acre) tract being more particularly described as follows:

Note: All bearings, latitude's and longitude's are referenced to the Texas State Plane Coordinate System, South Central Zone, Lambert Projection, NAD 83. All distances and acreages shown are surface. The scale factor is 0.999970. Convergence Angle is 02 40'32.33". Coordinates shown are in meters.

COMMENCING at a 16mm (5/8 inch) iron rod found for the Southwest corner of the remainder of that certain called 198.0967 hectare (489.506 acres) tract of land described as TRACT ONE in Special Warranty Deed dated December 9, 1991, from Louis J. Meyer, Jr. to Eugene Campbell, recorded in Volume 1439, Page 773, Official Public Records of Liberty County, Texas, and the Northwest corner of said 8.0937 hectare (20 acres) tract, said corner also being located on the East line of that certain called 1258.1727 hectare (3109 acres) tract of land described as TRACT ONE in Special Warranty Deed dated February 4, 1992, from Strother Timberlands, Ltd., an Alabama limited partnership to Eugene Campbell, recorded in Volume 1404, Page 346, Official Public Records of Liberty County, Texas;

THENCE NORTH 86°48'16" EAST, along the common line between said remainder of 198.0967 hectare (489.506 acres) tract and said 8.0937 hectares (20 acres) tract, for a distance of 381.555 meters (1251.82 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the proposed Southwesterly right-of-way line of State Highway No. 105 and being the **POINT OF BEGINNING** of the tract herein described (T.S.C. Y=3,084,377.1310, X=1,201,169.2453) (Engineer's Station 11+424.936, 50.011 meters (164.08 feet) right), and also being the most Westerly corner of the herein described tract of land;

1. THENCE NORTH 86°48'16" EAST, along the common line between said remainder of 198.0967 hectare (489.506 acres) tract and said 8.0937 hectares (20 acres) tract, for a distance of 23.400 meters (76.77 feet) to a 25.4mm (1 inch) pinched top pipe found for the Southeast corner of said remainder of 198.0967 hectare (489.506 acres) tract and the Northeast corner of said 8.0937 hectare (20 acres) tract, being in the West line of that certain called 120.3143 hectare (297.3021 acres) tract of land described as TRACT ONE in Special Warranty Deed dated September 28, 1993, from Eugene Campbell to Transit Mix Concrete & Materials Company, a Delaware Corporation, recorded in Volume 1483, Page 672,

MARK W. WHITELEY AND ASSOCIATES, INC.

## MINUTE ORDER EXHIBIT I PAGE 2 OF 7

County: Liberty

R.C.S.J. No.: 0338-05-0259

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 12 Part 1

Official Public Records of Liberty County, Texas, and also being the Northeast corner of the herein described tract of land;

- 2. THENCE SOUTH 03°34'07" EAST, along the common line between said 8.0937 hectares (20 acres) tract and said 120.3143 hectare (297.3021 acres) tract, for a distance of 68.894 meters (226.03 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the proposed Southwesterly right-of-way line of State Highway No. 105, and being the most Southerly corner of the herein described tract of land AND ALSO BEING THE BEGINNING OF A "Control of Access Line";
- 3. THENCE NORTH 22°17'23" WEST, along and with the proposed Southwesterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 72.904 meters (239.19 feet) to the **POINT OF BEGINNING** and containing 0.0806 hectare (0.199 acre) of land, more or less, and also marking the end of this "Control of Access Line".

Access is prohibited across the "Control of Access Line" from the adjacent property.

I, Mark W. Whiteley, Registered Professional Land Surveyor No. 3636, in the State of Texas, do hereby certify that the above field notes correctly reflect an actual survey made under my supervision and the limits, boundaries and corners are truly shown just as I found at the time of the survey.

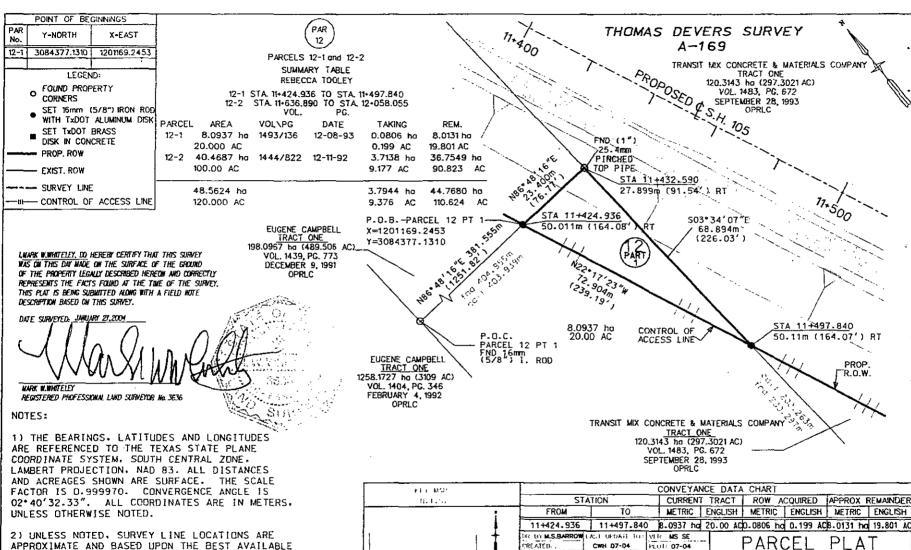
This field note description is being submitted along with a plat of even date based on this survey.

Surveyed this the 27th day of January, 2004.

Mark W. Whiteley, RPLS #3636

This field note description is submitted along with a plat of said parcel of same date

Note: Corners to be set upon completion of negotiations.



106180

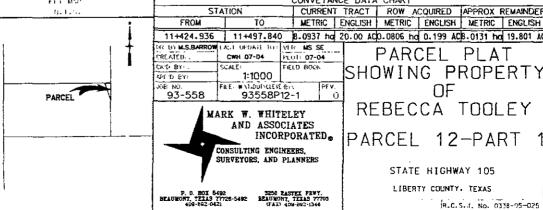
EVIDENCE.

4) ALL REMAINING ACREAGES ARE APPROXIMATE FROM INFORMATION OBTAINED FROM THE LIBERTY COUNTY APPRAISAL DISTRICT AND LIBERTY COUNTY DEED RECORDS.
5) CORNERS TO BE SET UPON COMPLETION OF NEGOTIATIONS.

3) ONLY STRUCTURES WITHIN 50.00' OF PROPOSED

RIGHT-OF-WAY ARE SHOWN WITH TIES.

6) ACCESS IS PROHIBITED ACROSS THE "CONTROL OF ACCESS LINE" FROM THE ADJACENT PROPERTY.



## MINUTE ORDER EXHIBIT I PAGE 4 OF 7

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 12 Part 2

BEING a 3.7138 hectare (9.177 acres) tract or parcel of land out of and a part of the Thomas Devers Survey, Abstract No. 169, in Liberty County, Texas, and also out of and a part of that certain called 40.4687 hectare (100.000 acres) tract as conveyed by Special Warranty Deed with Vendor's Lien, dated December 11, 1992, from Eugene Campbell to Rebecca B. Tooley, a feme sole, recorded in Volume 1444, Page 822, Official Public Records of Liberty County, Texas, said 3.7138 hectare (9.177 acres) tract being more particularly described as follows:

Note: All bearings, latitude's and longitude's are referenced to the Texas State Plane Coordinate System, South Central Zone, Lambert Projection, NAD 83. All distances and acreages shown are surface. The scale factor is 0.999970. Convergence Angle is 02 40'32.33". Coordinates shown are in meters.

COMMENCING at a 19mm (3/4 inch) pinched top pipe found for the Southwest corner of that certain called 8.0937 hectares (20 acres) tract of land as described in Special Warranty Deed with Vendor's Lien, dated December 8, 1993, from Eugene Campbell to Rebecca Tooley, a feme sole, recorded in Volume 1493, Page 136, Official Public Records of Liberty County, Texas, and the Northwest corner of said 40.4687 hectare (100.000 acres) tract, said corner also being located on the East line of that certain called 1258.1727 hectare (3109 acres) tract of land described as TRACT ONE in Special Warranty Deed dated February 4, 1992, from Strother Timberlands, Ltd., an Alabama limited partnership to Eugene Campbell, recorded in Volume 1404, Page 346, Official Public Records of Liberty County, Texas;

THENCE NORTH 86°48'15" EAST, along the common line between said 8.0937 hectare (20 acres) tract and said 40.4687 hectare (100 acres) tract, for a distance of 404.944 meters (1328.55 feet) to a 25.4mm (1 inch) pinched top pipe found for the Southeast corner of said 8.0937 hectare (20 acres) tract and the Southwest corner of that certain called 120.3143 hectare (297.3021 acres) tract of land described as TRACT ONE in Special Warranty Deed dated September 28, 1993, from Eugene Campbell to Transit Mix Concrete & Materials Company, a Delaware Corporation, recorded in Volume 1483, Page 672, Official Public Records of Liberty County, Texas, and also being in the North line of said 40.4687 hectare (100.000 acre) tract;

THENCE NORTH 86°48'15" EAST, along the common line between said 120.3143 hectare (297.3021 acres) tract and said 40.4687 hectare (100.000 acre) tract, for a distance of 44.631 meters (146.43 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the proposed Southwesterly right-of-way line of State Highway No. 105 and being the POINT OF BEGINNING of the tract herein described (T.S.C. Y=3,084,181.0149, X=1,201,249.6377) (Engineer's Station 11+636.890, 50.011 meters (164.08 feet) right), and also being the Northwest corner of the herein described tract of land;

## MINUTE ORDER EXHIBIT I PAGE 5 OF 7

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 12 Part 2

1. THENCE NORTH 86°48'15" EAST, along the common line between said 120.3143 hectare (297.3021 acres) tract and said 40.4687 hectare (100.000 acre) tract, for a distance of 105.822 meters (347.18 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the proposed Northeasterly right-of-way line of State Highway No. 105, and also being the Northeast corner of the herein described tract of land, said disk also being the beginning of a "Control of Access Line";

- 2. THENCE SOUTH 22°17'23" EAST, along and with the proposed Northeasterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 89.706 meters (294.31 feet), to a TXDOT concrete monument with brass disk set, said concrete monument being located at the beginning of a curve to the left in the proposed Northeasterly right-of-way line of State Highway No. 105, whose radius is 750 meters (2460.63 feet), delta angle is 17°37'30", and whose chord bears South 31°06'08" East, a distance of 229.801 meters (753.94 feet);
- 3. **THENCE** in a Southeasterly direction along and with said curve to the left in the proposed Northeasterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for an arc distance of 230.710 meters (756.92 feet) to a TXDOT concrete monument with brass disk set for angle point in said proposed Northeasterly right-of-way line;
- 4. THENCE SOUTH 10°53'01" WEST along and with the proposed Easterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 35.079 meters (115.09 feet) to a TXDOT concrete monument with brass disk set, said concrete monument being located at the beginning of a non tangent curve to the left in the proposed Northeasterly right-of-way line of State Highway No. 105, whose radius is 777.500 meters (2550.85 feet), delta angle is 02°00'03", and whose chord bears South 44°00'07" East, a distance of 27.151 meters (89.08 feet);
- 5. THENCE in a Southeasterly direction along and with said curve to the left in the proposed Northeasterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for an arc distance of 27.152 meters (89.08 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk marking the end of this "Control of Access Line" and also being located on the South line of said 40.4687 hectare (100.000 acre) tract and the North line of that certain called 12.1406 hectare (30 acres) tract of land as described in Warranty Deed dated August 18, 1993, from Leo Isaacks and Beatrice Isaacks Mayberry, Independent Executors of the Estate of Arba A, Isaacks, Deceased, to Allen J. Isaacks, recorded in Volume 1479, Page 208, Official Public Records of Liberty County, Texas and also as described in Quitclaim Deed dated August 18, 1993, from Katie R. Isaacks, a feme sole, to Allen J. Isaacks, recorded in Volume 1479, Page 211, Official Public

MARK W. WHITELEY AND ASSOCIATES, INC.

### MINUTE ORDER EXHIBIT I PAGE 6 OF 7

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 12 Part 2

Records of Liberty County, Texas, and also being the Southeast corner of the herein described tract of land;

- 6. THENCE SOUTH 86°48'15" WEST, along the common line between said 12.1406 hectare (30 acres) tract and said 40.4687 ha (100.000 acre) tract, for a distance of 93.224 meters (305.85 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner and also being the beginning of a "Control of Access Line", said disk lying in a curve to the right in the proposed Southwesterly right-of-way line of State Highway 105, whose radius is 850.000 meters (2788.71 feet), delta angle is 17°11'16", and whose chord bears North 30°53'01" West, a distance of 254.032 meters (833.44 feet), and also being the Southwest corner of the herein described tract of land:
- 7. **THENCE** in a Northwesterly direction along and with said curve to the right in the proposed Southwesterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for an arc distance of 254.987 meters (836.57 feet) to a TXDOT concrete monument with brass disk set, said concrete monument being located at the point of tangency in said proposed Southwesterly right-of-way line;
- 8. THENCE NORTH 22°17'23" WEST, along and with the proposed Southwesterly right-of-way line of State Highway 105, the same being a "Control of Access Line", for a distance of 124.322 meters (407.88 feet) to the POINT OF BEGINNING, said point marking the end of this "Control of Access Line" and containing 3.7138 hectares (9.177 acres) of land, more or less.

Access is prohibited across the "Control of Access Line" from the adjacent property.

I, Mark W. Whiteley, Registered Professional Land Surveyor No. 3636, in the State of Texas, do hereby certify that the above field notes correctly reflect an actual survey made under my supervision and the limits, boundaries and corners are truly shown just as I found at the time of the survey.

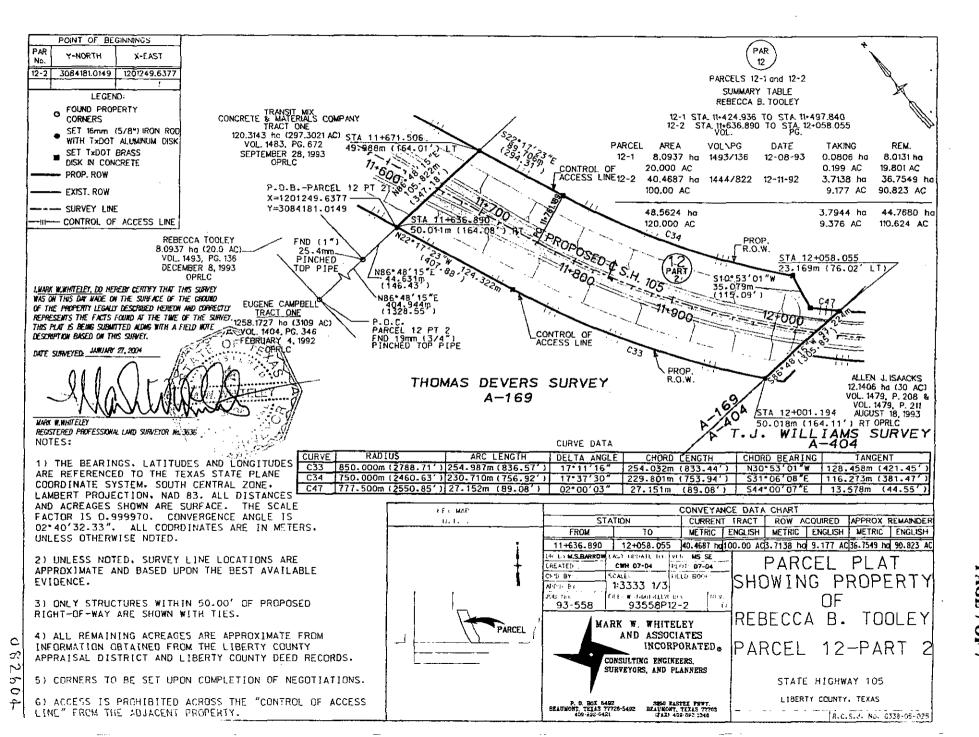
This field note description is being submitted along with a plat of even date based on this survey.

Surveyed this the 27th day of January, 2004

Mark W. Whiteley, RPLS #3636

This field note description is submitted along with a plat of said parcel of same date.

Note: Corners to be set upon completion of negotiations.



1		

# MINUTE ORDER EXHIBIT J PAGE 1 OF 5

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 15

BEING a 9.0457 hectare (22.352 acres) tract or parcel of land out of and part of the Clayton Harper Survey, Abstract 209, Liberty County, Texas, and also out of and part of that certain called 17.7459 hectare (43.851 acres) tract of land described as TRACT ONE and that certain called 7.9733 hectare (19.7024 acres) tract of land described as FOURTH TRACT in Warranty Deed dated December 27, 1994, from CLE-TEX MATERIALS, INC., a Texas Corporation to Byron Curtis Smith, Sr., Trust, recorded in Volume 1716, Page 455, Official Public Records of Liberty County, Texas, said 9.0457 hectare (22.352 acres) tract being more particularly described as follows:

Note: All bearings, latitude's and longitude's are referenced to the Texas State Plane Coordinate System, South Central Zone, Lambert Projection, NAD 83. All distances and acreages shown are surface. The scale factor is 0.999970. Convergence Angle is 02 40'32.33". Coordinates shown are in meters.

COMMENCING at a 12.7mm (½ inch) iron rod found at the most Southerly Southeast corner of said 17.7459 hectare (43.851 acres) tract and the Southwest corner of that certain called 2.9879 hectare (7.3832 acres) tract of land as described in Warranty Deed with Vendor's Lien dated December 5, 1996, from Jim McCulloch to G. W. Pruett, recorded in Volume 1647, Page 850, Official Public Records of Liberty County, Texas, and being in the North line of that certain called 4.1683 hectare (10.3000 acres) tract of land as described in Special Warranty Deed dated January 31, 1990, from Federal Deposit Insurance Corporation as Receiver of Harris County Bank, N.A. to Johnny Young, recorded in Volume 1316, Page 429, Official Public Records of Liberty County, Texas;

THENCE NORTH 18°09'33" EAST, along the common boundary between said 17.7459 hectare (43.851 acres) tract and said 2.9879 hectare (7,3832 acres) tract, for a distance of 72.883 meters (239.12 feet) to a 12.7mm (½ inch) iron rod found at an interior ell corner of said 17.7459 hectare (43.851 acres) tract and the Northwest corner of said 2.9879 hectare (7:3832 acres) tract;

THENCE NORTH 87°48'12" EAST, along the common boundary between said 17.7459 hectare (43.851 acres) tract and said 2.9879 hectare (7.3832 acres) tract, for a distance of 120.241 meters (394.49 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on a proposed Westerly right-of-way line of State Highway No. 105 and lying in a curve to the right, whose radius is 431.800 meters (1416.66 feet), delta angle is 07°03'51", and whose chord bears North 04°51'01" West a distance of 53.203 meters (174.55 feet), being the POINT OF BEGINNING of the tract herein described (T.S.C. Y=3,083,395.3344, X=1,202,078.0039) (Engineer's Station 2+238.245, 32.607 meters (106.98 feet) right), and being the Southwest corner of the herein described tract of land, and also being the beginning of a "Control of Access Line";

1. **THENCE** in a Northwesterly direction, along said curve to the right in a proposed Westerly right-of-way line of State Highway No. 105, the same being "Control of

## MINUTE ORDER EXHIBIT J PAGE 2 OF 5

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 15

Access Line", for an arc distance of 53.237 meters (174.66 feet) to a TXDOT concrete monument with brass disk set in said proposed Westerly right-of-way line for the point of tangency in said proposed Westerly right-of-way line;

- 2. THENCE NORTH 02°04'47" WEST, along and with a proposed Westerly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 45.136 meters (148.08 feet) to a TXDOT concrete monument with brass disk set for angle point in said proposed Westerly right-of-way line;
- 3. THENCE NORTH 45°02'31" WEST, along and with a proposed Southwesterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 21.702 meters (71.20 feet) to a TXDOT concrete monument with brass disk set, said concrete monument being located at the beginning of a non tangent curve to the right whose radius 880.00 meters, (2887.13 feet), delta angle is 20°08'17", and whose chord bears North 78°11'17" West, a distance of 307.707 meters (1009.54 feet);
- 4. THENCE in a Westerly direction, along said curve to the right in the proposed Southerly right-of-way line of State Highway 105, the same being a "Control of Access Line", for an arc distance of 309.297 meters (1014.75 feet) to a TXDOT concrete monument with brass disk set for angle point in the said proposed Southerly right-of-way line;
- 5. THENCE NORTH 09°43'27" EAST, along and with the proposed Westerly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 41.191 meters (135.14 feet) to a TXDOT concrete monument with brass disk set for angle point in the said proposed Westerly right-of-way line;
- 6. THENCE NORTH 55°53'05" WEST, along and with the proposed Southerly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 3.110 meters (10.20 feet) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the North line of said 7.9733 hectare (19.7024 acres) tract and the South line of that certain called 7.9733 hectare (19.7024 acres) tract of land as described in Warranty Deed dated December 31, 1990, from Margaret Irene Tullis, being the same as referred as Margaret Daniel Tullis and husband R.B. Tullis, to Eugene Campbell, recorded in Volume 1349, Page 588, Official Public Records of Liberty County, Texas, and being the Northwest corner of the herein described tract of land and also marking the end of this "Control of Access Line";
- 7. THENCE NORTH 87°02'58" EAST, along the common boundary between said Smith 7.9733 hectare (19.7024 acres) tract and said Campbell 7.9733 hectare (19.7024 acres) tract, for a distance of 778.592 meters (2554.43 feet) to a 16mm (5/8 inch) iron rod found at the Northeast corner of said Smith 7.9733 hectare (19.7024 acres) tract and the Southeast corner of said Campbell 7.9733 hectare (19.7024 acres) tract, said iron rod being located in the Westerly right-of-way line of U.S. Highway 59, a 97.536 meter

MARK W. WHITELEY AND ASSOCIATES, INC.

# MINUTE ORDER EXHIBIT J PAGE 3 OF 5

County: Liberty R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 15

(320 feet) wide right-of-way, and also being the most Northeast corner of the herein described tract of land;

- 8. THENCE SOUTH 24°00'38" WEST, along the existing Westerly right-of-way line of U.S. Highway 59 and the Easterly line of said Smith 7.9733 hectare (19.7024 acres) tract, for a distance of 70.738 meters (232.08 feet) to a 12.7mm (1/2 inch) iron rod found at Southeast corner of said Smith 7.9733 hectare (19.7024 acres) tract and the Northeast corner of said 17.7459 hectare (43.851 acres) tract;
- 9. THENCE SOUTH 24°08'31" WEST, continuing along the existing Westerly right-of-way line of U.S. Highway 59 and the Easterly line of said 17.7459 hectare (43.851 acres) tract, for a distance of 68.091 meters (223.40 feet) to a TXDOT concrete monument with brass disk set for the intersection of said existing Westerly right-of-way line of U.S. Highway 59 and the proposed Southerly right-of-way line of State Highway No. 105, and being the beginning of a "Control of Access Line" and also being the most Northerly Southeast corner of the herein described tract of land;
- 10. THENCE SOUTH 87°05'24" WEST, along and with the proposed Southerly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 330.580 meters (1084.58 feet) to a TXDOT concrete monument with brass disk set for angle point in the said proposed Southerly right-of-way line;
- 11. THENCE SOUTH 42°51'13" WEST, along and with a proposed Southeasterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 21.502 meters (70.54 feet) to a TXDOT concrete monument with brass disk set for angle point in the said proposed Southeasterly right-of-way line;
- 12. THENCE SOUTH 01°22'58" East, along and with a proposed Easterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for a distance of 51.084 meters (167.60 feet) to a TXDOT concrete monument with brass disk set, said concrete monument being located at the beginning of a curve to the left whose radius 178.200 meters (584.64 feet), delta angle is 14°59'49", and whose chord bears South 08°52'53" East, a distance of 46.510 meters (152.59 feet);
- 13. THENCE in a Southeasterly direction, along said curve to the left in a proposed Easterly right-of-way line of State Highway No. 105, the same being a "Control of Access Line", for an arc distance of 46.643 meters (153.03) to a 16mm (5/8 inch) iron rod with TXDOT aluminum disk set for corner, said disk being located on the North line of said 2.9879 hectare (7.3832 acres) tract and the South line of said 17.7459 hectare (43.851 acres) tract, and marking the end of this "Control of Access Line" and also being the most Southerly Southeast corner of the herein described tract of land;
- 14. THENCE SOUTH 87°48'12" WEST, along the common boundary between said 17.7459 hectare (43.851 acres) tract and said 2.9879 hectare (7.3832 acres) tract, for a

MARK W. WHITELEY AND ASSOCIATES, INC.

# MINUTE ORDER EXHIBIT J

PAGE 4 OF 5

County:

Liberty

R.C.S.J. No.: 0338-05-025

Highway No.: State Highway No. 105 (New Location)

Parcel No.: 15

distance of 66.310 meters (217.55 feet) to the **POINT OF BEGINNING** of this tract and containing in area 9.0457 hectares (22.352 acres) more or less.

Access is prohibited across the "Control of Access Line" from the adjacent property.

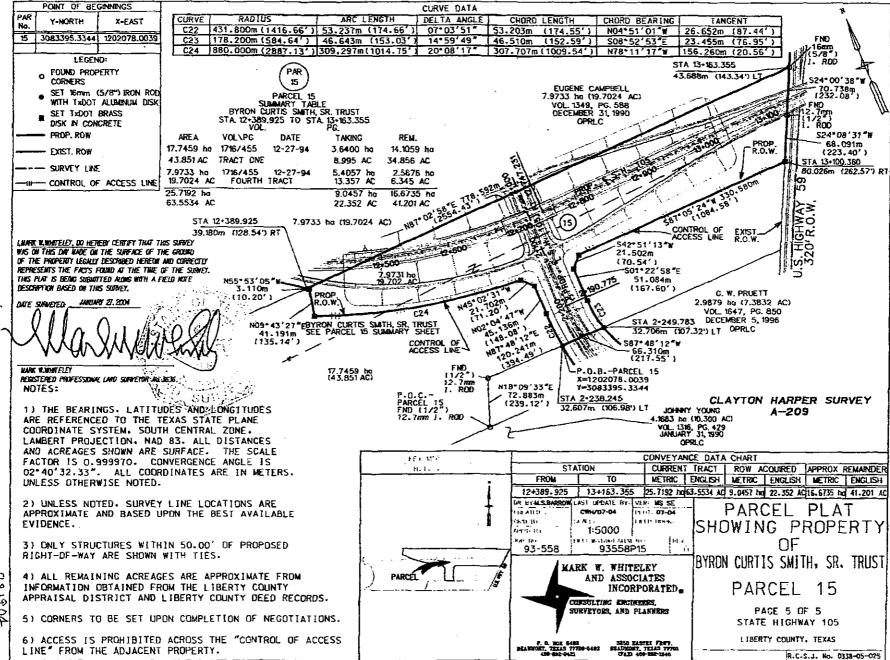
I, Mark W. Whiteley, Registered Professional Land Surveyor No. 3636, in the State of Texas, do hereby certify that the above field notes correctly reflect an actual survey made under my supervision and the limits, boundaries and corners are truly shown just as I found at the time of the survey.

This field note description is being submitted along with a plat of even date based on this survey.

Surveyed this the 27th day of January

Mark W. Whiteley, RPLS #3636

This field note description is submitted along with a plat of said Note: Corners to be set upon completion of negotiations.



081904

# MINUTE ORDER EXHIBIT K PAGE 1 OF 5

COUNTY: HIGHWAY:

UPSHUR US 259

PROJECT LIMITS:

AT INTERSECTION

OF SH 155

CSJ:

0392-02-071 (Construction)

CSJ:

0392-02-072 (ROW)

I, Billy Frank Davis, Jr., Registered Professional Land Surveyor, do hereby certify that this boundary description represents the results of a survey made on the ground from May 2004 to June 2004

Billy Frank Davis, Jr.

Davis, Jr. R.P.L.S. 4671

# **Property Description for Parcel 2**

BEING 0.2058 of an acre of land situated in the J.R. Davis Survey, Abstract No. 122, and the Robert Asher Survey, Abstract No. 10, Upshur County, Texas, and being out of that certain called 15.381 acre tract or parcel of land described in a deed from Waylon Morgan and Dorothy Morgan to Conrad Coppedge, et ux, dated April 06, 2001, and recorded in Volume 407, Page 160, of the Official Records of Upshur County, Texas, and being out of that certain called 4.744 acre tract or parcel of land described in a deed from Waylon Morgan and Dorothy Morgan to Conrad Coppedge, et ux, dated April 06, 2001, and recorded in Volume 407, Page 158, of the Official Records of Upshur County, Texas, and also being east and adjacent to a certain called 1.60 acre tract or parcel of land described in a deed to the State of Texas, recorded in Volume 305, Page 203, of the Deed Records of Upshur County, Texas, said 0.2058 of an acre tract to be more particularly described by metes and bounds as follows:

BEGINNING at a ½" Iron Rod Set, with yellow cap stamped "BWR", being located at the intersection of the proposed East right-of-way line of U.S. Highway 259, the North boundary line of a certain called 200 acre tract or parcel of land described in a deed to Weldon Newsom, dated February, 13, 1962, and recorded in Volume 265, Page 85, of Deed Records of Upshur County, Texas, and the West boundary line of said called 4.744 acre Coppedge tract, said point of beginning being located South 42° 58' 41" West, a distance of 677.53 feet from a RR Spike Found for the Northeast corner of said called 4.744 acre Coppedge tract, and also being located 179.71 feet left of and at a right angle from the proposed survey centerline of U.S. Highway 259, hereinafter referred to as the "Survey Centerline", at Survey Centerline Station 691+25.08, and being located at the coordinates of 7,012,495.2426 feet North and 3,126,865.3456 feet East;

- THENCE South 85° 55' 32" West, along the North boundary line of said called 200.00 acre Newsom tract, a distance of 61.63 feet to a point from which a RR Spike bears North 78° 31' 19" East, a distance of 1.12 feet, and also being on the existing East right-of-way line of U.S. Highway 259, 119.51 feet left of Survey Centerline Station 691+11.88;
- 2. THENCE North 16° 24' 25" West, along the existing East right-of-way line of U.S. Highway 259, a distance of 297.86 feet to a Type II Concrete Right of Way Monument

with Bronze Disk Set at the intersection of the proposed East right-of-way line of U.S. Highway 259, being 119.66 feet left of Survey Centerline Station 688+14.02;

3. THENCE South 27° 21' 47" East, along the proposed East right-of-way line of U.S. Highway 259, a distance of 316.80 feet, to the PLACE OF BEGINNING and containing 0.2058 of an acre of land.

(2 AC)

**BEING** an "Access Denial Line" from which access across said line is prohibited to the highway facility from the remainder of the abutting property;

BEGINNING at a ½" Iron Rod Set, with yellow cap stamped "BWR", being located at the intersection of the proposed East right-of-way line of U.S. Highway 259, the North boundary line of said called 200 acre Newsom tract, and the West boundary line of said called 4.744 acre Coppedge tract, and being in the "Access Denial Line", said point of beginning being located South 42° 58' 41" West, a distance of 677.53 feet from a RR Spike Found for the Northeast corner of said called 4.744 acre Coppedge tract, and also being located 179.71 feet left of Survey Centerline Station 691+25.08;

- THENCE North 27° 21' 47" West, along the proposed East right-of-way line of U.S. Highway 259 and with the "Access Denial Line", a distance of 316.80 feet to a Type II Concrete Right of Way Monument with Bronze Disk Set at the intersection of the existing East right-of-way line of U.S. Highway 259, being 119.66 feet left of Survey Centerline Station 688+14.02;
- 2. THENCE North 16° 24' 25" West, along the existing East right-of-way line of U.S. Highway 259 and with the "Access Denial Line", a distance of 113.40 feet to a Type II Concrete Right of Way Monument with Bronze Disk Set, being 119.72 feet left of Survey Centerline Station 687+00.63;
- 3. THENCE North 19° 16' 26" West, along the existing East right-of-way line of U.S. Highway 259 and with the "Access Denial Line", a distance of 200.30 feet to a Type II Concrete Right of Way Monument with Bronze Disk Set, being 109.81 feet left of Survey Centerline Station 685+00.57;
- 4. THENCE North 16° 24' 26" West, along the existing East right-of-way line of U.S. Highway 259 and with the "Access Denial Line", a distance of 700.57 feet to a Type II Concrete Right of Way Monument with Bronze Disk Set, being 110.17 feet left of Survey Centerline Station 678+00.00;

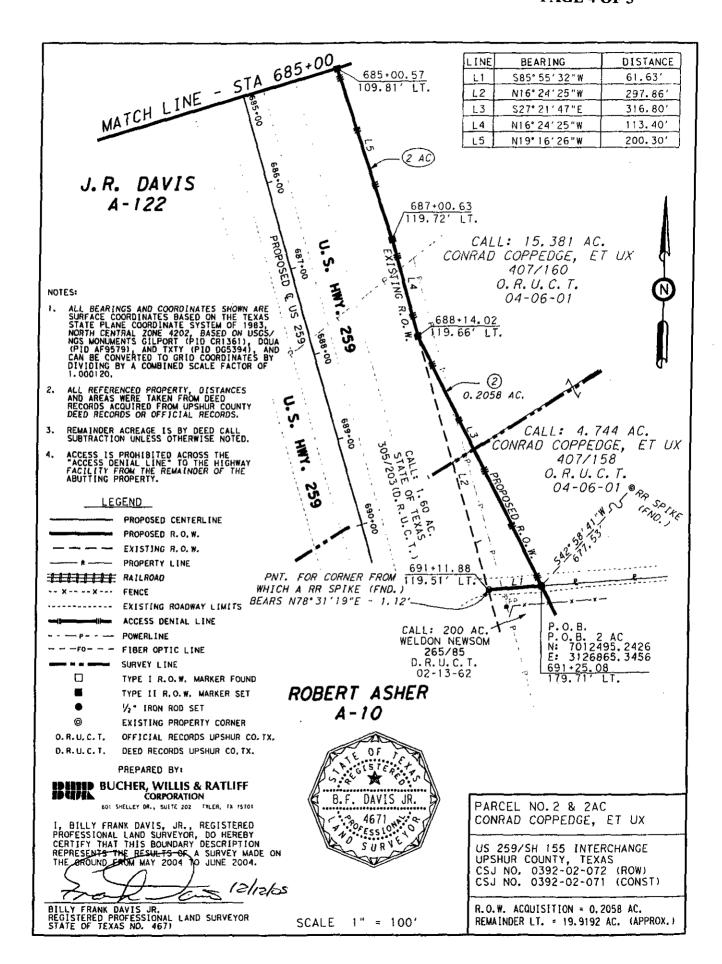
Access is prohibited across the "Access Denial Line" to the highway facility from the remainder of the abutting property.

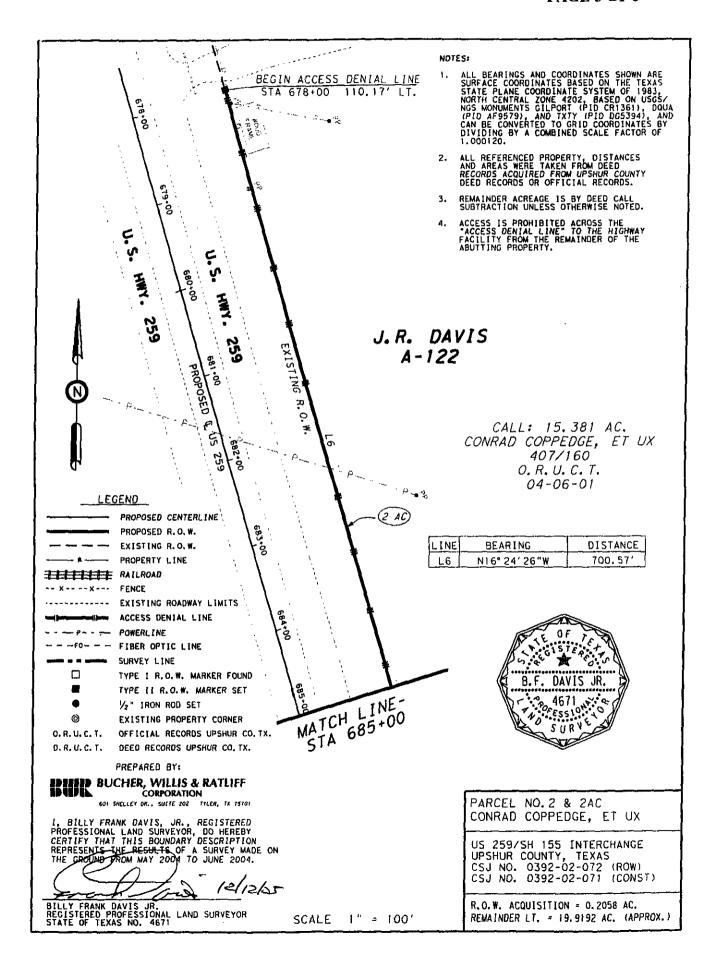
## Notes:

- All bearings and coordinates shown are surface coordinates based on the Texas State Plane Coordinate System of 1983 (NAD83), North Central Zone 4202, based on USGS/ NGS monuments Gilport (PID CR 1361), DQUA (PID AF9579), and TXTY (PID DG5394), and can be converted to grid coordinates by dividing by a combined scale factor of 1.000120.
- 2. All referenced property distances and areas were taken from deed records acquired from the Upshur County Deed or Official Records.

Texas Department of Transportation 701 East Main Street Atlanta, Texas 75551-1210

Phone: (903) 796-2851





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## MINUTE ORDER EXHIBIT L PAGE 1 OF 3

COUNTY:

**UPSHUR** 

HIGHWAY:

US 259

PROJECT LIMITS:

AT INTERSECTION

OF SH 155

CSJ: CSJ:

0392-02-071 (Construction)

0392-02-072 (ROW)

I, Billy Frank Davis, Jr., Registered Professional Land Surveyor, do hereby certify that this boundary description represents the results of a survey made on the ground-from May 2004 to June 2004

Billy Frank Davis, Jr.

is, Jr. R.P.L.S. 467

# **Property Description for Parcel 10**

BEING 0.5191 of an acre of land situated in the Robert Asher Survey, Abstract No. 10, Upshur County, Texas, and being out of that certain called 8.796 acre tract or parcel of land (Tract 1), a called 1.044 acre tract or parcel of land (Tract 2), and a called 1.044 acre tract or parcel of land (Tract 3), described in a deed from Edna Faye Case to Charles M. Case, Jr., dated July, 1983, and recorded in Volume 446, Page 727, of the Deed Records of Upshur County, Texas, and also being north and adjacent to a certain called 8.74 acre tract or parcel of land described in a deed to the State of Texas, recorded in Volume 185, Page 224, of the Deed Records of Upshur County, Texas, said 0.5191 of an acre tract to be more particularly described by metes and bounds as follows:

BEGINNING at a ½" Iron Rod Set, with yellow cap stamped "BWR", being located at the intersection of the proposed North right-of-way line of State Highway 155, the West boundary line of said called 1.044 acre Case tract (Tract 3), and the East boundary line of a certain called 200 acre tract or parcel of land described in a deed to Weldon Newsom, dated February 13, 1962, and recorded in Volume 265, Page 85, of the Deed Records of Upshur County, Texas, said point of beginning being located South 13° 13' 20" East, a distance of 194.96 feet from a Fence Corner Found for the Northwest corner of said called 1.044 acre Case tract (Tract 3), and also being located 85.00 feet left of and at a right angle from the proposed survey centerline of State Highway 155, hereinafter referred to as the "Survey Centerline", at Survey Centerline Station 1334+02.76, and being located at the coordinates of 7,011,760.3273 feet North and 3,127,665.0094 feet East;

- 1. THENCE North 76° 26' 06" East, along the proposed North right-of-way line of State Highway 155, a distance of 907.30 feet to a Type II Concrete Right of Way Monument with Bronze Disk Set on the East boundary line of said called 8.796 acre Case tract and the West boundary line of an unrecorded called 30.78 acre tract or parcel of land described in a deed to Vernon Davenport, Jr., 85.00 feet left of Survey Centerline Station 1343+10.06;
- 2. THENCE South 32° 55' 39" East, along the East boundary line of said called 8.796 acre Case tract, a distance of 26.24 feet to a Type II Concrete Right of Way Monument with

Bronze Disk Set, at the intersection of the existing North right-of-way line of State Highway 155, being 60.24 feet left of Survey Centerline Station 1343+18.76;

- 3. THENCE South 76° 25' 45" West, along the existing North right-of-way line of State Highway 155, a distance of 916.01 feet to a ½" Iron Rod Set, with yellow cap stamped "BWR", on the West boundary line of said called 1.044 acre Case tract, 60.15 feet left of Survey Centerline Station 1334+02.76;
- 4. THENCE North 13° 32' 42" West, along the West boundary line of said called 1.044 acre Case tract, a distance of 24.85 feet, to the PLACE OF BEGINNING and containing 0.5191 of an acre of land.

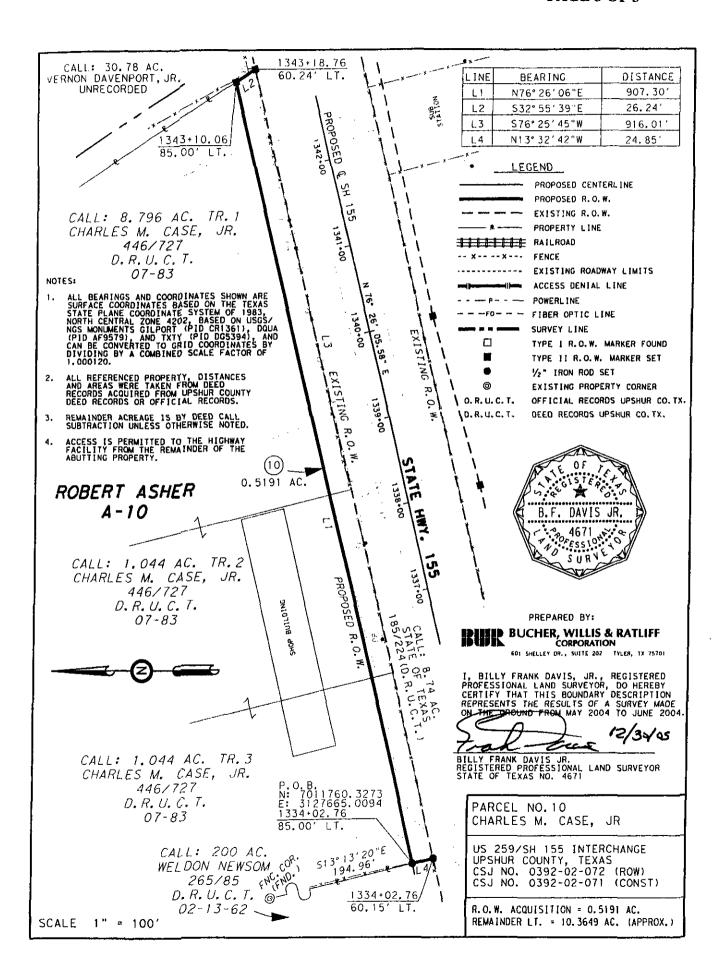
Access is permitted to the highway facility from the remainder of the abutting property.

#### Notes:

- 1. All bearings and coordinates shown are surface coordinates based on the Texas State Plane Coordinate System of 1983 (NAD83), North Central Zone 4202, based on USGS/NGS monuments Gilport (PID CR 1361), DQUA (PID AF9579), and TXTY (PID DG5394), and can be converted to grid coordinates by dividing by a combined scale factor of 1.000120.
- 2. All referenced property distances and areas were taken from deed records acquired from the Upshur County Deed or Official Records.

Texas Department of Transportation 701 East Main Street Atlanta, Texas 75551-1210

Phone: (903) 796-2851



## MINUTE ORDER EXHIBIT M PAGE 1 OF 11

County: Travis

Segment: 2

Parcel No.: 196 Highway: S.H. 130

From: Sta. 693+00 To: Sta. 1486+01.90

Limits:

From: I.H. 35 and S.H. 195, North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1) ROW/CSJ: 0440-06-008

### **DESCRIPTION FOR PARCEL 196**

DESCRIPTION OF A 2,803,145 SQUARE FOOT, 64.351 ACRE, TRACT OF LAND OUT OF THE WILLIAM H. SANDERS SURVEY NO. 54, ABSTRACT NO. 690, TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 180.99 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED DATED MAY 14, 2001, TO WILD HORSE ADDITION, LTD., RECORDED IN DOCUMENT NO. 2001079095, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 2,803,145 SQUARE FOOT, 64.351 ACRE TRACT AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED AS PART ONE CONTAINING 2,762,972 SQUARE FEET, 63.429 ACRES, PART TWO CONTAINING 40,173 SQUARE FEET, 0.922 ACRES, BY METES AND BOUNDS AS FOLLOWS:

### PART 1 (2,762,972 square feet, 63.429 acres)

COMMENCING for reference at a found 1/2-inch iron pipe at the westernmost corner of said 180.99 acre tract and an interior east corner of a 151.55 acre tract described in a Substitute Trustee's Deed dated August 4, 1987, to George L. Dacy, Trustee for Tay W. Bond and Associates, recorded in Volume 10366, Page 237, Real Property Records of Travis County, Texas;

THENCE, N 26° 40' 59" E, with the common line between said 180.99 acre tract and said 151.55 acre tract, a distance of 878.94 feet to a set 1/2-inch iron rod with TxDOT aluminum cap on the proposed west right-of-way line of S.H. 130, 595.89 feet right of proposed S.H. 130 baseline station 1457+04.01, (584.16 feet right of proposed U.S. Hwy. 290 baseline station 493+39.95), for the westernmost corner and POINT OF BEGINNING of this tract;

1) THENCE, N 26° 40' 59" E, continuing with the common line between said 180.99 acre tract and said 151.55 acre tract, a distance of 778.93 feet to a calculated point on the existing south right-of-way line of U.S. Hwy. 290, a varying-width right-of-way, at a northwest corner of said 180.99 acre tract and the northeast corner of said 151.55 acre tract, for the northernmost northwest corner of this tract, from which point a found 1/2-inch iron rod bears N 26° 40' 59" E, 0.34 feet;

P196-R5

## MINUTE ORDER EXHIBIT M PAGE 2 OF 11

County: Travis Segment: 2

 Parcel No.:
 196
 From: Sta. 693+00

 Highway:
 S.H. 130
 To: Sta. 1486+01.90

Limits: From: I.H. 35 and S.H. 195, North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

**Project No.:** HP 1196 (1) **ROW/CSJ:** 0440-06-008

- 2) THENCE, N 65° 05' 48" E, with the common line between said U.S. Hwy. 290 and said 180.99 acre tract, a distance of 660.29 feet to a found 1/2-inch iron rod, 678.92 feet left of proposed S.H. 130 baseline station 1452+31.18, at a northeast corner of said 180.99 acre tract and the northwest corner of a 15.25 acre tract described as a 20.25 acre tract, save and except 5.00 acres, in a General Warranty Deed dated October 1, 2001, to DJRS, Inc., recorded in Document No.2002001243, Official Public Records of Travis County, Texas, for the northernmost corner of this tract;
- 3) THENCE, S 25° 30′ 56″ E, with the common line between said 180.99 acre tract and said 15.25 acre tract, a distance of 416.27 feet to a set 1/2-inch iron rod with TxDOT aluminum cap on the proposed east right-of-way line of S.H. 130, 679.73 feet left of proposed S.H. 130 baseline station 1456+47.45, (517.12 feet right of proposed U.S. Hwy. 290 baseline station 506+15.05), for an angle point of this tract, from which point a found 1/2-inch iron pipe at a common angle point of said 180.99 acre tract and said 15.25 acre tract bears S 25° 30′ 56″ E, 354.77 feet;

**THENCE**, across said 180.99 acre tract, with said proposed east right-of-way line of S.H. 130, the following seven (7) courses:

- 4) S 20° 35' 12" W, a distance of 335.77 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an angle point of this tract;
- 5) S 34° 14' 14" E, a distance of 196.48 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an interior corner of this tract;
- 6) N 53° 47' 20" E, a distance of 150.09 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an exterior corner of this tract;
- 7) S 34° 14' 14" E, a distance of 285.64 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an exterior corner of this tract;
- 8) S 53° 47' 20" W, a distance of 150.09 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an interior corner of this tract;

## MINUTE ORDER EXHIBT K **PAGE 3 OF 11**

County:

Travis

Segment: 2

Parcel No.: Highway:

196

From: Sta. 693+00 To: Sta. 1486+01.90

Limits:

S.H. 130

From: I.H. 35 and S.H. 195, North of Georgetown

I.H. 10 and U.S. 90, East of Seguin

Federal Aid

HP 1196 (1) Project No.: ROW/CSJ: 0440-06-008

- 9) S 34° 14' 14" E, a distance of 432.28 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an angle point of this tract:
- 10) S 21° 36' 16" E, a distance of 1146.02 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), 474.74 feet left of proposed S.H. 130 baseline station 1479+37.73, on the existing northwest right-of-way line of Capital Metropolitan Transportation Authority railroad right-of-way, a 150-foot wide right-of-way, and being a point on a spiral curve with a spiral length of 182.80 feet, a spiral tangent back of S 36° 18' 52" W and a spiral tangent ahead of S 38° 57' 10" W, for the southeast corner of this tract, from which point a found 5/8-inch iron rod at a point of change from spiral to circle on the existing north right-of-way line of said Capital Metropolitan Transportation Authority railroad bears along said spiral curve, with a chord bearing of N 38° 16' 42" E, and a chord distance of 51.58 feet;

THENCE, across said 180.99 acre tract, with the existing northwest right-of-way line of said Capital Metropolitan Transportation Authority Railroad the following two (2) courses;

- 11) Along a portion of said spiral curve to the left, with a chord bearing of S 36° 46' 03" W, and a chord distance of 131.21 feet to a found 5/8-inch iron rod at the non-tangent beginning of said spiral curve, for an angle point of this tract;
- 12) S 36° 25' 26" W, a distance of 287.33 feet to a calculated point, 101.46 feet left of proposed S.H. 130 baseline station 1481+27.06, at the south corner of said 180.99 acre tract and the east corner of said 151.55 acre tract, for the south corner of this tract;
- 13) THENCE, N 62° 30' 44" W, with common line between said 180.99 acre tract and said 151.55 acre tract, a distance of 1246.82 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete) on the said proposed west right-of-way line of S.H. 130, 630.33 feet right of proposed S.H. 130 baseline station 1471+17.60, for the west corner of this tract, from which point a found 1/2-inch iron pipe at the westernmost corner of said 180.99 acre tract and an interior east corner of a 151.55 acre tract, same being the Point of Commencement, bears N 62° 30' 44" W, 1111.29 feet;

# MINUTE ORDER EXHIBIT K PAGE 4 OF 11

County:

Travis

Scgment: 2

Parcel No.:

196

From: Sta. 693+00

Sta. 1486+01.90

Highway:

Limits:

S.H. 130

From: I.H. 35 and S.H. 195, North of Georgetown

To:

I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1)

ROW/CSJ: 0440-06-008

**THENCE**, across said 180.99 acre tract, with the said proposed west right-of-way line of S.H. 130, the following two (2) courses:

- 14) N 19° 34' 22" W, at a distance of 324.00 feet pass a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), and at a distance of 805.52 feet pass a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), in all a total distance of 1327.80 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an angle point of this tract;
- 15) N 72° 07' 32" W, a distance of 153.74 feet to the **POINT OF BEGINNING**, containing 2,762,972 square feet, 63.429 acres of land, more or less.

### PART 2 (40,173 square feet, 0.922 acres)

COMMENCING for reference at a found TxDOT Type I concrete monument on the existing south right-of-way line of Old Highway 20 (Old Manor Road), a varying-width right-of-way, and a north line of said 180.99 acre tract, at the west corner a 0.94 acre tract described as Fourth Tract in a Warranty Deed dated February 28, 1972, to Roy A. Butler recorded in Volume 4282, Page 1082, Deed Records of Travis County, Texas, and referenced as Tract 3 in a Special Warranty Deed dated September 1, 1994, to The Butler Family Partnership, Ltd. recorded in Volume 12271, Page 872, Real Property Records of Travis County, Texas;

THENCE, S 89° 50' 58" W, with the common line between said Old Highway 20 and said 180.99 acre tract, a distance of 734.06 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete) on the proposed east right-of-way line of S.H. 130, 2165.53 feet left of proposed S.H. 130 baseline station 1454+97.53, (355.00 feet right of proposed U.S. Highway 290 (U.S. Hwy. 290) baseline station 520+99.57), for the east corner and POINT OF BEGINNING of this tract;

16) THENCE, S 65° 03' 56" W, across said 180.99 acre tract with the proposed east right-of-way line of said S.H. 130, a distance of 482.55 feet to a set 1/2-inch iron rod with TxDOT aluminum cap, 1683.00 feet left of proposed S.H. 130 baseline station 1454+93.56, (355.00 feet right of proposed U.S. Hwy. 290 baseline station 516+17.03), on an interior west line of said 180.99 acre tract and the east line of a 6.010 acre tract described as Tract Two in a Warranty Deed dated June 29, 2001, to D & R Associates, Inc., recorded in

P196-R5

# MINUTE ORDER EXHIBIT K PAGE 5 OF 11

County: Travis Segment: 2

 Parcel No.:
 196
 From: Sta. 693+00

 Highway:
 S.H. 130
 To: Sta. 1486+01.90

Limits: From: I.H. 35 and S.H. 195, North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1) ROW/CSJ: 0440-06-008

Document No. 2001106898, Official Public Records of Travis County, Texas, for the southwest corner of this tract;

- 17) THENCE, N 29° 25' 21" W, with the common line between said 180.99 acre tract and said 6.010 acre tract, a distance of 151.67 feet to a found 1/2-inch iron rod on the existing south right-of-way line of U.S. Hwy. 290, a varying-width right-of-way, 1672.37 feet left of proposed S.H. 130 baseline station 1453+42.27, at an exterior corner of said 180.99 acre tract and the northeast corner of said 6.010 acre tract, for the northwest corner of this tract;
- 18) **THENCE**, N 80° 05' 16" E, with the common line between said U.S. Hwy. 290 and said 180.99 acre tract, a distance of 412.73 feet to a found TxDOT Type I concrete monument at the cutoff of U.S. Hwy. 290 and said south right-of-way line of Old State Highway 20, for an angle point of this tract;
- 19) THENCE, N 89° 50' 58" E, with the common line between said Old State Highway 20 and said 180.99 acre tract, a distance of 105.51 feet to the POINT OF BEGINNING and containing 40,173 square feet, 0.922 acres of land, more or less.

P196-R5 10/18/05 R5 **OK** 

## MINUTE ORDER EXHIBIT M PAGE 6 OF 11

County: Travis Segment: 2

 Parcel No.:
 196
 From: Sta. 693+00

 Highway:
 S.H. 130
 To: Sta. 1486+01.90

Limits: From: I.H. 35 and S.H. 195, North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1) ROW/CSJ: 0440-06-008

All bearings shown hereon are based upon the Texas State Plane Coordinate System, NAD83 (1986), Central Zone. All distances shown hereon are surface distances. The T.T.A. SH-130 Segment "2" State Plane Grid to Project Surface Adjustment Scale Factor is 1.00011.

STATE OF TEXAS

**§** KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS §

That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

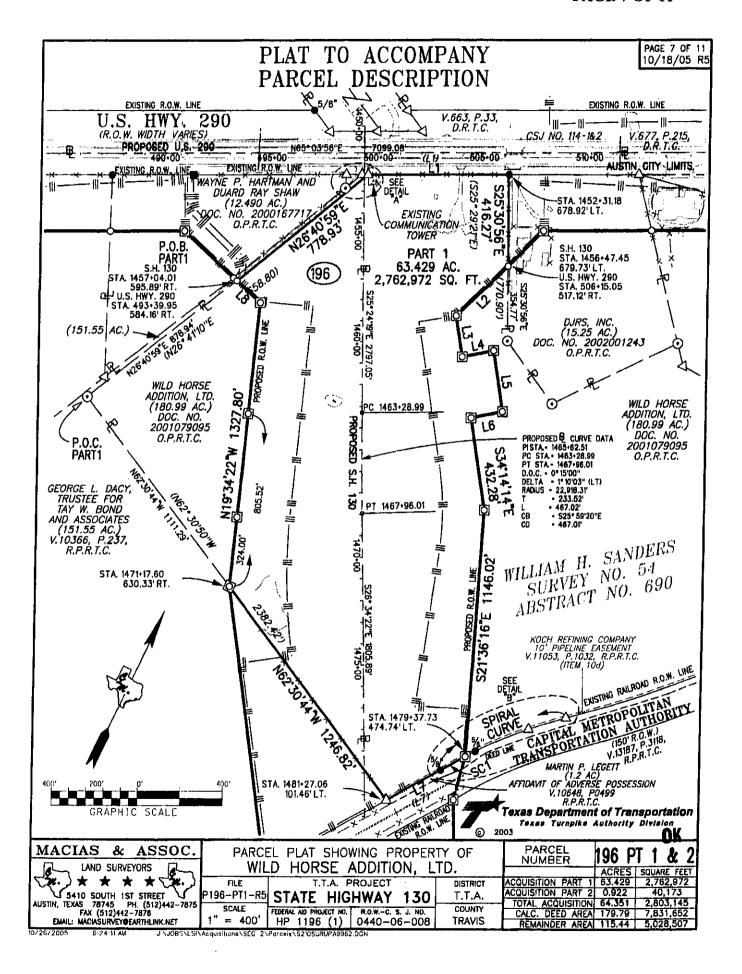
WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 18<sup>th</sup> day of October, 2005 A.D.

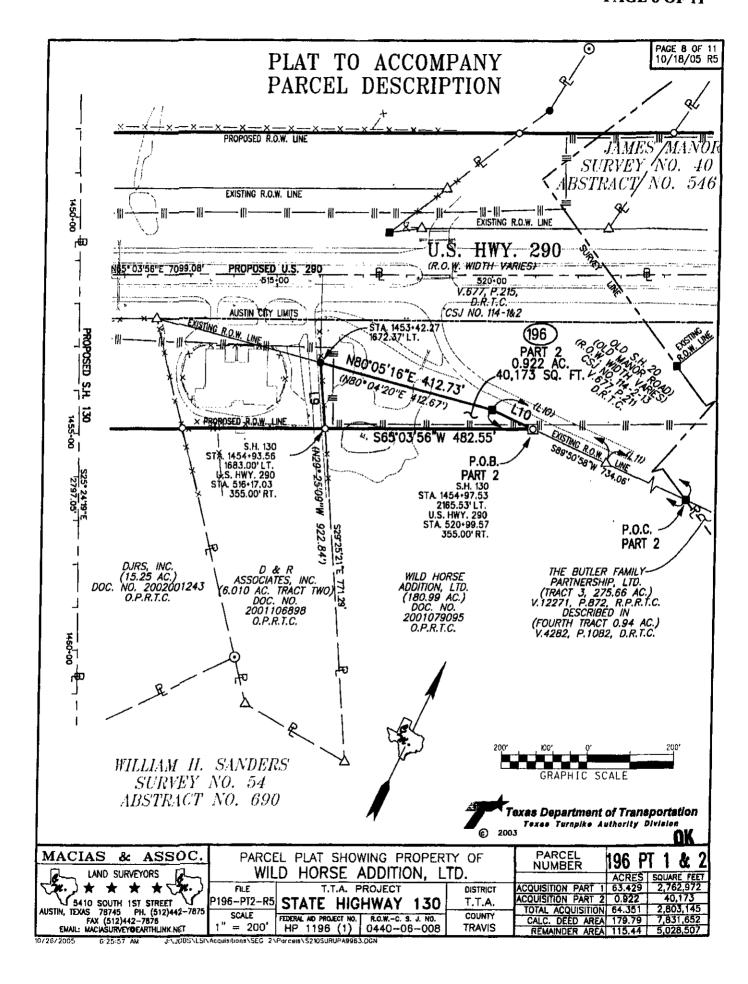
MACIAS & ASSOCIATES, INC.

5410 South 1st Street Austin, Texas 78745 Carmelo L. Macias

Registered Professional Land Surveyor

No. 4333 - State of Texas





# PLAT TO ACCOMPANY PARCEL DESCRIPTION

PAGE 9 OF 1 10/18/05 R5

#### NOTES:

1) ALL BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAO83 (1986), CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. THE T.T.A. SH-130 SEGMENT "2" STATE PLANE GRID TO PROJECT SURFACE ADJUSTMENT SCALE FACTOR IS 1.00011.

2) IMPROVEMENTS SHOWN HEREON ARE FROM DIGITAL PHOTOGRAMMETRY FILES AND/OR THE ADDITIONAL DELINEATION OF IMPROVEMENTS WHICH HAVE BEEN BUILT (OR REMOVED) AFTER THE PHOTOGRAMMETRY WAS DEVELOPED.

3) THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE 8 OF THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF NO. 02110125, EFFECTIVE DATE: OCTOBER 27, 2002.

4) THIS TRACT IS SUBJECT TO AN AMBIGUOUS 25' PIPELINE EASEMENT AT THE SOUTHEAST CORNER OF THIS PROPERTY GRANTED TO LONE STAR GAS COMPANY RECORDED IN V.2832, P.566, D.R.T.C. (ITEM 108)

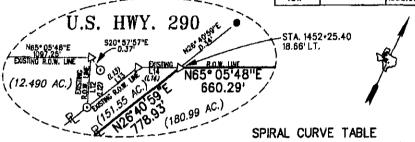
5) THE FOLLOWING EASEMENTS USTED IN SCHEDULE B OF THE TITLE COMMITMENT DO NOT APPLY TO THIS PARCEL: (ITEM 10C)

6) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.

### CURVE TABLE

0

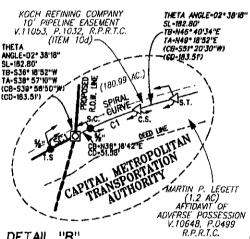
0.1021	N.T.S.	(CI)	(1985.08')	(269.47')	(269,27)	(N45° 39'40"E)
DETAIL "A" C1 07*43'24" 1984.86' 267.55' 267.35' N42*46	N.T.S.	(CI)	 (1985.08)	(269.47')	(269,27')	(N45° 39'40"E)
NUMBER   DELTA ANGLE   RADIUS   ARC LENGTH   CHORD LENGTH   CHORD E	DETAIL "A"		 	<del></del>		CHORD BEARING



٠,		,,,,,,,
NUMBER	CHORD LENGTH	CHORD BEARING
SC1	131.21'	536° 46'03"W

### LINE TABLE

T-12-2-		
NUMBER	BEARING	DISTANCE
L1	N65* 05'48"E	660.29'
(LD)	(N65°07'58"E)	(659.50')
L2	S20* 35'12"W	335.77'
L3	S34 14'14"E	196.48
L4	N53° 47'20"E	150.091
L5	S34" 14'14"E	285.641
L6	S53* 47'20"W	150,091
L7	536" 25'26"W	287.33
(L7)	(539 04 20 W)	(286.64')
L8	N72* 07'32"W	153.741
L9	N29* 251211W	151.67'
L10	N89" 50'58"E	105.51'
(L10)	(S89° 48'25"E)	(294.98')
(L11)	(N89* 42'04"E)	(544.65')
L12	520* 58'22"E	61.77'
(L12)	(519° 00'38"E)	(61.48')
L13	N26° 50'27"E	99.52'
(L13)	(N30° 04'20"E)	(100.77')
L14	N65" 05'48"E	29.00'
(L14)	(N67* 33'30'E)	(28.161)



"B" DETAIL N.T.S

0F

CARMELO L. MACIAS

IHEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DRECTION AND SUPERVISION.

annelo J. Macios DATE:

CARMELO L. MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4333 - STATE OF TEXAS

MACIAS & ASSOC. LAND SURVEYORS \* \* \* \* \\

SA10 SOUTH 1ST STREET

FIL P196-P SC N.

1/2" IRON ROD FOUND (UNLESS NOTED), TO BE REPLACED WITH TYPE IIMONUMENT 1/2" IRON ROD FOUND (UNLESS NOTED) 1/2" IRON ROD W/TX DOT ALUMINUM CAP SET (UNLESS NOTED) 0 SET  $V_2^{\prime\prime}$  iron rod with alliminum CAP (UNLESS NOTED), TO BE REPLACED WITH TYPE #MONUMENT Q Δ CALCULATED POINT 600 NAIL FOUND UNLESS NOTED PROPERTY LINE ₿ BASELINE TANCENT TO SPIRAL T.S. S,C, SPIRAL TO CURVE CURVE TO SPIRAL C.S. S.T. SPIRAL TO TANGENT SPIRAL LENGTH T.A. SPIRAL TANCENT AHEAD T.B. SPIRAL TANCENT BACK P.O.C. POINT OF COMMENCEMENT P.O.B. POINT OF BEGINNING RIGHT-OF-WAY R.O.W. ESMT. EASEMENT P.U.E. PUBLIC UTLITY EASEMENT D.R.T.C. DEED RECORDS OF TRAVIS COUNTY P.R.T.C. PLAT RECORDS OF TRAVIS COUNTY R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY D.R.T.C. OFFICIAL RECORDS OF TRAVIS COUNTY O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY - ||| - CONTROL OF ACCESS N.T.S. NOT TO SCALE

TYROT TYPE ENOMINENT FOUND

1/2" IRON PIPE FOUND (UNLESS NOTED)

**Texas Department of Transportation** Texas Turnpike Authority Division **6** 2003

RECORD INFORMATION DISTANCE SHOWN NOT TO SCALE

B.L. BUILDING SET BACK LINE

APPROXIMATE SURVEY LINE

	L PLAT SHOWING PROPER		PARCEL NUMBER		T 1 & 2
WIL	D HORSE ADDITION, L				SQUARE FEET
ILE	T.T.A. PROJECT	DISTRICT	ACQUISITION PART 1	63.429	2,762,972
	STATE HIGHWAY 130	T.T.A.	ACQUISITION PART 2	0.922	40,173
			TOTAL ACQUISITION	64.351	2,803,145
ALE	FEDERAL AND PROJECT NO. R.O.W.~C. S. J. NO.	COUNTY	CALC. DEED AREA		7,831,652
/A	HP 1196 (1)   0440-06-008	TRAVIS	REMAINDER AREA	115.44	5.028.507

AUSTIN, TEXAS 78745 PH. (512)442-7875
FAX (512)442-7876
EMAIL: MACIASURVEY@EARTHLINK.NET 0/26/2005

J \J08S\LSI\Acquisitions\SEG\_2\Parcets\S210SURUPA9962.DGh



PREPARED BY: Macias & Associates, Inc.

SURVEYOR: Carmelo L. Macias #4333

DATE: 10/18/05 R5

PAGE: 10 of 11

## CONTROL OF ACCESS CLAUSE

**ROW CSJ NO.:** 0440-06-008

**COUNTY:** Travis

HIGHWAY: SH 130

LIMITS:

From: IH 35 and SH 195, North of Georgetown

To: IH 10 and US 90, East of Seguin

PARCEL NO: 196, PART 1

#### ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE S.H. 130/U.S. 290 SERVICE/ACCESS ROAD WILL BE PERMITTED AS FOLLOWS:

Access will be permitted to the east remainder abutting the highway facility from the beginning of Call 5, to a point located S 21° 36' 16" E, a distance of 925 feet from the beginning of Call 10, of the foregoing property description.

**AND** 

Access will be permitted to the west remainder abutting the highway facility from the beginning of Call 14, to the end of Call 14, of the foregoing property description.

### ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE S.H. 130/U.S. 290 SERVICE/ACCESS ROAD WILL BE DENIED AS FOLLOWS:

Access will be denied to the east remainder abutting the highway facility from the beginning of Call 4, to the end of Call 4, and from a point located S 21° 36' 16" E, a distance of 925 feet from the beginning of Call 10, to the end of Call 10, of the foregoing property description,

AND

Access will be denied to the west remainder abutting the highway facility from the beginning of Call 15, to the end of Call 15, of the foregoing property description.

OK

ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE MAIN TRAFFIC LANES OF THE STATE HIGHWAY 130/U.S. HIGHWAY 290 FACILITY WILL BE DENIED.

# MINUTE ORDER EXHIBIT M PAGE 11 OF 11



PREPARED BY: Macias & Associates, Inc.

SURVEYOR: Carmelo L. Macias #4333

DATE: 10/18/05 R5

PAGE: 11 of 11

# CONTROL OF ACCESS CLAUSE

ROW CSJ NO.: 0440-06-008

**COUNTY:** Travis

HIGHWAY: SH 130

LIMITS:

From: IH 35 and SH 195, North of Georgetown

To: IH 10 and US 90, East of Seguin

PARCEL NO: 196, PART 2

A: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE U.S. 290 SERVICE/ACCESS ROAD WILL BE PERMITTED AS FOLLOWS:

Access will be permitted to the south remainder abutting the highway facility from a point located S 65° 03' 56" E, a distance of 464.55 feet from the beginning of Call 16, to the end of Call 16, of the foregoing property description.

B: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE U.S. 290 SERVICE/ACCESS ROAD WILL BE DENIED AS FOLLOWS:

Access will be denied to the south remainder abutting the highway facility from the beginning of Call 16, to a point located S 65° 03' 56" W, a distance of 464.55 feet from the beginning of Call 16, of the foregoing property description.

C: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE MAIN TRAFFIC LANES OF THE STATE HIGHWAY 130/ U.S. HIGHWAY 290 FACILITY WILL BE DENIED.

•		

# MINUTE ORDER EXHIBIT N PAGE 1 OF 7

County: Travis Segment: 4

 Parcel No.:
 396A
 From: Sta. 2440+00

 Highway:
 S.H. 130
 To: Sta. 2938+00

Limits: From: I.H. 35 and S.H. 195 North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1) ROW/CSJ: 0440-06-008

## **DESCRIPTION FOR PARCEL 396A**

DESCRIPTION OF A 56,984 SQUARE FOOT, A 1.308 ACRE TRACT OF LAND OUT OF THE WILLIAM LEWIS, SR. SURVEY NO. 2, ABSTRACT NO. 479, IN TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A REMAINDER OF A 15.084 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED DATED AUGUST 2, 2004, TO JIMMY NASSOUR AND JOHN LEWIS, RECORDED IN DOCUMENT NO. 2004150394, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 56,984 SQUARE FOOT, 1.308 ACRE TRACT AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at a found 1/2-inch iron rod on the north line of said 15.084 acre tract, same being the north line of a 6.446 acre tract described in a Special Warranty Deed dated December 23, 2004, to Rosa E. Santis, recorded in Document No. 2004240996, Official Public Records of Travis County, Texas, at the southwest corner of a 12.048 acre tract known as Tract 5, described in a Warranty Deed dated July 23, 1974, to The Veterans' Land Board of the State of Texas, recorded in Volume 4972, Page 1825, Deed Records of Travis County, Texas, and also described in a Contract of Sale and Purchase dated July 5, 1974, to Carlos Luna Villalobos, recorded in Volume 4972, Page 1838, Deed Records of Travis County, Texas, and at the southeast corner of a 12.644 acre tract known as Tract 6, described in Warranty Deed dated July 23, 1974 to The Veterans' Land Board of the State of Texas, recorded in Volume 4972, Page 1829, Deed Records of Travis County, Texas, and also described in a Contract of Sale and Purchase dated July 5, 1974, to Raymond Joseph Sanders, recorded in Volume 4972, Page 1833, Deed Records of Travis County, Texas;

THENCE, S 61° 50' 47" E, with the common line between said 6.446 acre tract and the south line of said 12.048 acre tract, at a distance of 148.01 feet pass the northeast corner of said 6.446 acre tract and the northwest corner of the remaining portion of said 15.084 acre tract, in all a total distance of 619.40 feet to a set 1/2-inch iron rod with TxDOT aluminum cap on the proposed curving west right-of-way line of S.H. 130, 389.70 feet right of proposed S.H. 130 baseline station 2630+24.19, for the northwest corner and **POINT OF BEGINNING** of this tract;

P396A 09/12/05 **OK** 

# MINUTE ORDER EXHIBIT N PAGE 2 OF 7

County: Travis Segment: 4

 Parcel No.:
 396A
 From: Sta. 2440+00

 Highway:
 S.H. 130
 To: Sta. 2938+00

Limits: From: I.H. 35 and S.H. 195 North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

**Project No.:** HP 1196 (1) **ROW/CSJ:** 0440-06-008

- 1) THENCE, S 61° 50' 47" E, with the north line of the remaining portion of said 15.084 acre tract and the south line of said 12.048 acre tract, a distance of 72.27 feet to a calculated point on the west line of a 50 acre tract described in a Warranty Deed dated November 23, 1947, to Perry J. Shirley and wife, Ruby Shirley, recorded in Volume 849, Page 147, Deed Records of Travis County, Texas, for the northeast corner of said 15.084 acre tract and the southeast corner of said 12.048 acre tract, for the northeast corner of this tract;
- 2) THENCE, S 27° 25' 59" W, with the common line between said 15.084 acre tract and said 50 acre tract, a distance of 702.64 feet to a calculated point on the existing north right-of-way line of F.M. 812, a 100-foot wide right-of-way, at the southeast corner of said 15.084 acre tract and the southwest corner of said 50 acre tract, for the southeast corner of this tract, from which a found TxDOT Type I concrete monument on the existing north right-of-way line of said F.M. 812 bears S 61° 51' 57" E, a distance of 627.23 feet;
- 3) THENCE, N 61° 51' 57" W, with the common line between said existing north right-of-way line of F.M. 812 and said 15.084 acre tract, a distance of 527.89 feet to a calculated point at the southeast corner of said 6.446 acre tract and the southwest corner of the remaining portion of said 15.084 acre tract, for the southwest corner of this tract, from which a found TxDOT Type I concrete monument on the existing north right-of-way line of said F.M. 812 bears N 61° 51' 57" W, a distance of 1873.43 feet;
- 4) THENCE, N 26° 08' 52" E, with the west line of the remaining portion of said 15.084 acre tract with the east line of said 6.446 acre tract, at a distance of 0.52 feet pass a found 1/2-inch iron rod, in all a total distance of 28.65 feet to a set 1/2-inch iron rod with TxDOT aluminum cap, on the proposed west right-of-way line of said S.H. 130, being the proposed north right-of-way line of F.M. 812, 848.88 feet right of proposed S.H. 130 baseline station 2636+90.61;

**THENCE**, across said 15.084 acre tract with said proposed west right-of-way line of S.H. 130 and the proposed north right-of-way line of F.M. 812, the following three (3) courses:

5) S 62° 53' 24" E, a distance of 412.70 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), for an angle point of this tract;

P396A 09/12/05

## MINUTE ORDER EXHIBIT N PAGE 3 OF 7

County: Travis

Segment: 4

Parcel No.: 396A Highway: S.H. 130 From: Sta. 2440+00 To: Sta. 2938+00

Limits:

From: I.H. 35 and S.H. 195 North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

**Project No.:** HP 1196 (1) **ROW/CSJ:** 0440-06-008

6) N 72° 39' 04" E, a distance of 121.08 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), at a non-tangent point of curvature of a curve to the right;

7) Along said curve having a radius of 4622.31 feet, a central angle of 07° 13' 25", a chord which bears N 23° 15' 27" E, 582.37 feet, and an arc distance of 582.76 feet to the **POINT OF BEGINNING**, containing 56,984 square feet, 1.308 acres of land, more or less.

All bearings shown hereon are based upon the Texas State Plane Coordinate System, NAD83 (1986), South Central Zone. All distances shown hereon are surface distances. The T.T.A. SH-130 Segment "4" State Plane Grid to Project Surface Adjustment Scale Factor is 1.00006.

P396A

# MINUTE ORDER EXHIBIT N PAGE 4 OF 7

County:

Travis

Segment: 4

Parcel No.:

396A

From: Sta. 2440+00

Highway:

S.H. 130

Sta. 2938+00 To:

Limits:

From: I.H. 35 and S.H. 195 North of Georgetown

To:

I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1) ROW/CSJ: 0440-06-008

STATE OF TEXAS

§ §

KNOW ALL MEN BY THESE PRESENTS:

**COUNTY OF TRAVIS** 

That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12th day of September, 2005 A.D.



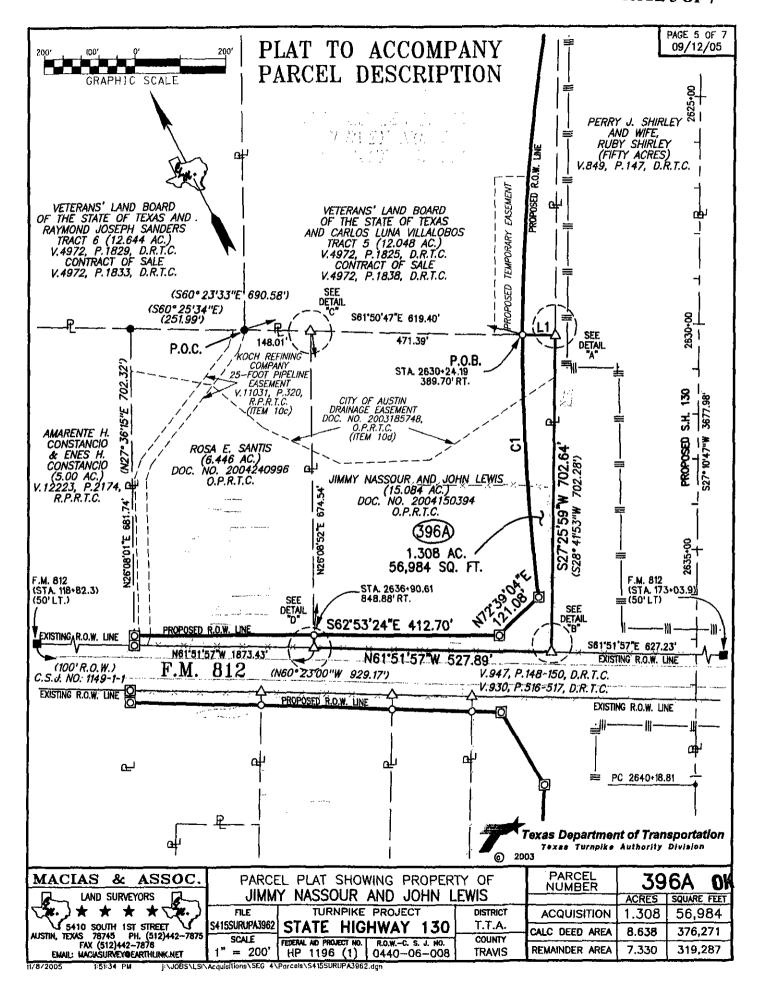
MACIAS & ASSOCIATES, INC.

5410 South 1st Street

Austin, Texas 78745

Registered Professional Land Surveyor

No. 4333 - State of Texas

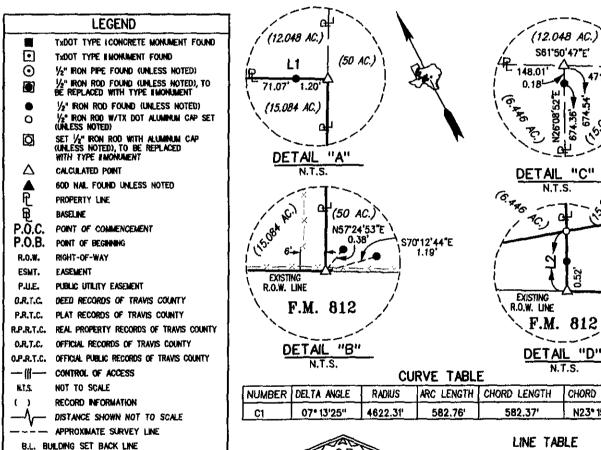


# PLAT TO ACCOMPANY PARCEL DESCRIPTION

PAGE 6 OF 7 09/12/05

#### NOTES:

- 1) ALL BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (1986), SOUTH CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. THE T.T.A. SH-130 SEGMENT "4" STATE PLANE GRID TO PROJECT SURFACE ADJUSTMENT SCALE FACTOR IS 1.00006.
- 2) IMPROVEMENTS SHOWN HEREON ARE FROM DIGITAL PHOTOGRAMMETRY FILES AND/OR THE ADDITIONAL DELINEATION OF IMPROVEMENTS WHICH HAVE BEEN BUILT (OR REMOVED) AFTER THE PHOTOGRAMMETRY WAS DEVELOPED.
- 3) THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE USTED IN SCHEDULE B OF THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF NO. 03050154, EFFECTIVE DATE: JUNE 22, 2005.
- 4) THIS TRACT IS SUBJECT TO A BLANKET TYPE EASEMENT GRANTED TO LOWER COLORADO RIVER ELECTRIC COOPERATIVE, INC., REFERENCED IN V.659, P.438, D.R.T.C. (ITEM 10b)
- 5) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.



IHEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

aches

CARMELO L. MACIAS REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4333 - STATE OF TEXAS



	THE INDIE	
NUMBER	BEARING	DISTANCE
	S61° 50'47"E	72.27'
L2	N26* 08'52"E	28.65'

"C"

CHORD BEARING

N23\* 15'27"E

Texas Department of Transportation Texas Turnpike Authority Division **©** 2003

MACIAS & ASSOC.	PARCEL PLAT SHOWING PROPERTY OF	PARCEL NUMBER	39	6A OK
LAND SURVEYORS	JIMMY NASSOUR AND JOHN LEWIS	NO. DELL	ACRES	SQUARE FEET
	FILE TURNPIKE PROJECT DISTRICT	ACQUISITION	1.308	56,984
45410 SOUTH 1ST STREET 4 AUSTIN, TEXAS 78745 PH. (512)442-7875	S415SURUPA3962 STATE HIGHWAY 130 T.T.A.	CALC DEED AREA	8.638	376,271
FAX (512)442-7876 EMAIL: MACIASURVEY GEARTHLINK.NET	SCALE FEDERAL AND PROJECT NO. 1 R.O.WC. S. J. NO. COUNTY 1" = 200' HP 1196 (1) 0440-06-008 TRAVIS	REMAINDER AREA	7.330	319,287
11/8/2005 10:41:58 AM j:\JOBS\LSI\	Acquisitions\SEG_4\Parcels\S415\$URUPA3962.dgn			

,05

DATE:

### MINUTE ORDER EXHIBIT N PAGE 7 OF 7



PREPARED BY: Macias & Associates, Inc.

SURVEYOR: Carmelo L. Macias #4333

DATE: 09/12/05

PAGE: 7 of 7

### CONTROL OF ACCESS CLAUSE

**ROW CSJ NO.:** 0440-06-008

**COUNTY:** Travis

HIGHWAY: SH 130

LIMITS: From: IH 35 and SH 195, North of Georgetown

To: IH 10 and US 90, East of Seguin

PARCEL NO: 396A

A: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE SERVICE/ACCESS ROAD WILL BE PERMITTED AS FOLLOWS:

Access will be permitted to the west remainder abutting the highway facility from the beginning of Call 5, to a point located northerly, an arc distance of 513 feet, having a radius of 4622.31 feet from the beginning of Call 7, of the foregoing property description.

B: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE SERVICE/ACCESS ROAD WILL BE DENIED AS FOLLOWS:

Access will be denied to the west remainder abutting the highway facility from a point located northerly, an arc distance of 513 feet, having a radius of 4622.31 feet from the beginning of Call 7, to the end of Call 7, of the foregoing property description.

C: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE MAIN TRAFFIC LANES OF THE SH 130 HIGHWAY FACILITY WILL BE DENIED.

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### MINUTE ORDER EXHIBIT O PAGE 1 OF 6

County: Travis Segment: 4

396B Parcel No.:

From: Sta. 2440+00

Highway:

S.H. 130

To: Sta. 2938+00

Limits:

From: I.H. 35 and S.H. 195 North of Georgetown

I.H. 10 and U.S. 90, East of Seguin

Federal Aid

HP 1196 (1) Project No.: 0440-06-008 ROW/CSJ:

### **DESCRIPTION FOR PARCEL 396B**

DESCRIPTION OF A 10.019 SQUARE FOOT, A 0.230 ACRE TRACT OF LAND OUT OF THE WILLIAM LEWIS, SR. SURVEY NO. 2, ABSTRACT NO. 479, IN TRAVIS COUNTY, TEXAS, ALSO BEING OUT OF A 6.446 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED DATED DECEMBER 23, 2004, TO ROSA E. SANTIS, RECORDED IN DOCUMENT NO. 2004240996, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 10.019 SOUARE FOOT, 0.230 ACRE TRACT AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING** for reference at a found 1/2-inch iron rod on the south line of a 12.644 acre tract known as Tract 6, described in Warranty Deed dated July 23, 1974 to The Veterans' Land Board of the State of Texas, recorded in Volume 4972, Page 1829, Deed Records of Travis County. Texas, at the northwest corner of said 6.446 acre tract, and the northeast corner of a 5.00 acre tract described in Warranty Deed dated June 21, 1994 to Amarente H. Constancio and Enes H. Constancio, recorded in Volume 12223, Page 2174, Real Property Records of Travis County, Texas:

THENCE, S 26° 08' 01" W, with the common line between said 6.446 acre tract and said 5.00 acre tract, a distance of 681.74 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete). on the proposed west right-of-way line of S.H. 130, 1248,47 feet right of proposed S.H. 130 baseline station 2636+91.10, for the westernmost corner and POINT OF BEGINNING of this tract;

1) THENCE, S 62° 53' 24" E, across said 6.446 acre tract, with the said proposed west right-of-way line of S.H. 130, same being the proposed north right-of-way line of F.M. 812, a distance of 399.59 feet to a set 1/2-inch iron rod with TxDOT aluminum cap, on the east line of said 6.446 acre tract and the west line of the remaining portion of a 15.084 acre tract described in a General Warranty Deed dated August 2, 2004, to Jimmy Nassour and John Lewis, recorded in Document No. 2004150394, Official Public Records of Travis County, Texas, for the northeast corner of this tract, from which a found 1/2-inch iron rod bears N 26° 08' 52" E 674.54 feet;

P396B 09/12/05

### MINUTE ORDER EXHIBIT O PAGE 2 OF 6

County: Travis

Segment: 4

Parcel No.: 396B Highway: S.H. 130 From: Sta. 2440+00 To: Sta. 2938+00

nignway: Limits:

From: I.H. 35 and S.H. 195 North of Georgetown

To: I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.: HP 1196 (1) ROW/CSJ: 0440-06-008

- THENCE, S 26° 08' 52" W, with the east line of said 6.446 acre tract, continuing across the remaining portion of said 15.084 acre tract, at a distance of 28.13 feet pass a found 1/2-inch iron rod, in all a total distance of 28.65 feet to a calculated point on the existing north right-of-way line of F.M. 812, a 100-foot wide right-of-way, at the southwest corner of the remaining portion of said 15.084 acre tract and the southeast corner of said 6.446 acre tract, for the southeast corner of this tract, from which a found concrete monument on the existing north right-of-way line of said F.M. 812 bears S 61° 51' 57" E, 1155.12 feet;
- 3) THENCE, N 61° 51' 57" W, with the common line between said existing north right-of-way line of F.M. 812 and said 6.446 acre tract, a distance of 399.77 feet to a set 1/2-inch iron rod with TxDOT aluminum cap (to be replaced with a TxDOT Type II monument after right-of-way acquisition is complete), at the southwest corner of said 6.446 acre tract and the southeast corner of said 5.00 acre tract, for the southwest corner of this tract, from which a found concrete monument on the existing north right-of-way line of said F.M. 812 bears N 61° 51' 57" W, 1473.66 feet;
- 4) THENCE, N 26° 08' 01" E, with the common line between said 6.446 acre tract and said 5.00 acre tract, at a distance of 1.27 feet pass a found 1/2-inch iron rod, in all a total distance of 21.51 feet to the POINT OF BEGINNING, containing 10,019 square feet, 0.230 acres of land, more or less.

All bearings shown hereon are based upon the Texas State Plane Coordinate System, NAD83 (1986), South Central Zone. All distances shown hereon are surface distances. The T.T.A. SH-130 Segment "4" State Plane Grid to Project Surface Adjustment Scale Factor is 1.00006.

OK

### MINUTE ORDER EXHIBIT O PAGE 3 OF 6

To:

County:

**Travis** 

Segment: 4

Parcel No.:

396B

From: Sta. 2440+00

Sta. 2938+00

Highway:

Limits:

S.H. 130

From: I.H. 35 and S.H. 195 North of Georgetown

To:

I.H. 10 and U.S. 90, East of Seguin

Federal Aid

Project No.:

HP 1196 (1)

ROW/CSJ:

0440-06-008

STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS:

**COUNTY OF TRAVIS** 

That I, Carmelo L. Macias, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this the 12th day of September, 2005 A.D.

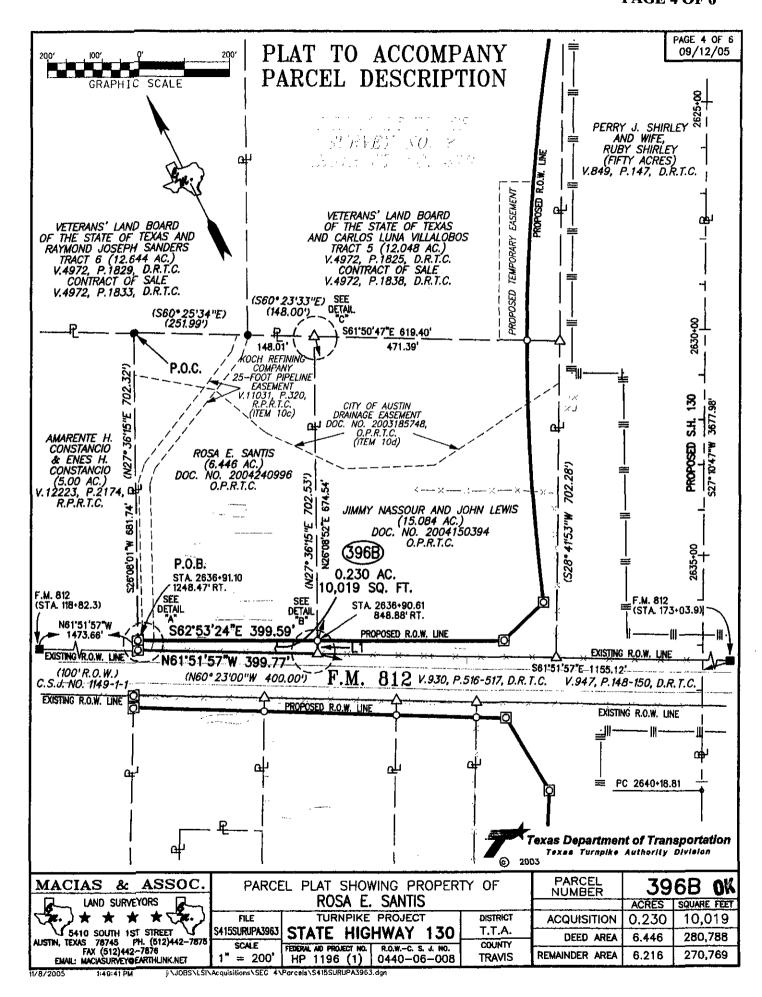


MACIAS & ASSOCIATES, INC. 5410 South 1st Street Austin, Texas 78745

Carmelo L. Macias

Registered Professional Land Surveyor

No. 4333 - State of Texas

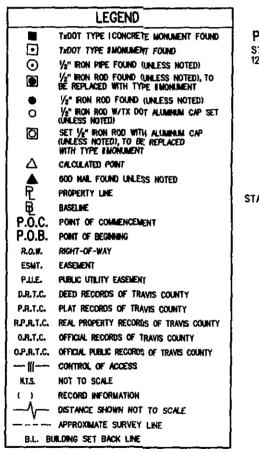


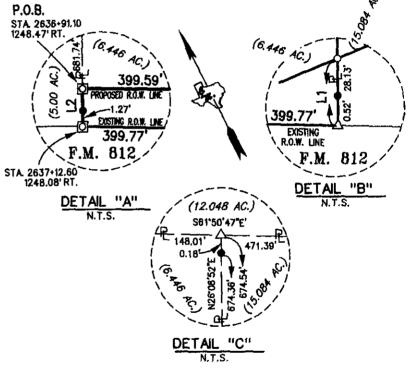
PAGE 5 OF 6 09/12/05

# PLAT TO ACCOMPANY PARCEL DESCRIPTION

#### NOTES:

- 1) ALL BEARINGS SHOWN HEREON ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD83 (1986), SOUTH CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. THE T.T.A. SH-130 SEGMENT "4" STATE PLANE GRID TO PROJECT SURFACE ADJUSTMENT SCALE FACTOR IS 1.00008.
- 2) IMPROVEMENTS SHOWN HEREON ARE FROM DIGITAL PHOTOGRAMMETRY FILES AND/OR THE ADDITIONAL DELINEATION OF IMPROVEMENTS WHICH HAVE BEEN BUILT (OR REMOVED) AFTER THE PHOTOGRAMMETRY WAS DEVELOPED.
- 3) THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED IN SCHEDULE 8 OF THE TITLE COMMITMENT ISSUED BY STEWART TITLE GUARANTY COMPANY, GF NO. 5060575, EFFECTIVE DATE: JUNE 23, 2005.
- 4) THIS TRACT IS SUBJECT TO A BLANKET TYPE EASEMENT GRANTED TO LOWER COLORADO RIVER ELECTRIC COOPERATIVE, INC., REFERENCED IN V.859, P.438, D.R.T.C. (ITEM 106)
- 5) THE ACREAGE CALCULATED AND SHOWN HEREON IS CONVERTED FROM THE SQUARE FOOTAGE SHOWN HEREON, AND IS FOR INFORMATIONAL PURPOSES ONLY.







LINE TABLE						
NUMBER	BEARING	DISTANCE				
L1	S26* 08'52"W	28.65'				
L2	N26" 08'01"E	21.51				

HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

CAMBLO L. MACIAS
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4333 - STATE OF TEXAS

Texas Department of Transportation

Toxas Turnpike Authority Division

© 2003

MACIAS & ASSOC.	PARCEL PLAT SHOWING PROPERTY OF			PARCEL NUMBER	39	6Bnx
LAND SURVEYORS		ROSA E. SANTIS		1,10,55	ACRES	SQUARE FEET
C*·) * * * * C*·)	FILE	TURNPIKE PROJECT	DISTRICT	ACQUISITION	0.230	10,019
J 5410 SOUTH 1ST STREET J AUSTIN, TEXAS 78745 PH. (512)442-7875	S415SURUPA3963 SCALE	STATE HIGHWAY 130	T.T.A.	DEED AREA	6.446	280,788
FAX (512)442-7878 Ewail: Macusurvey@earthlink.net	1" = 200'	FEDERAL AND PROJECT NO. R.O.WC. S. J. NO. HP 1196 (1) 0440-06-008	TRAVIS	REMAINDER AREA	6.216	270,769
11/B/2005 1:50:03 PM j:\J0BS\LSI\	Acquisitions\SEG 4\	Parcels\\$41\$SURUPA3963,dgn				



PREPARED BY: Macias & Associates, Inc.

SURVEYOR: Carmelo L. Macias #4333

DATE: 09/12/05

PAGE: 6 of 6

### CONTROL OF ACCESS CLAUSE

**ROW CSJ NO.:** 0440-06-008

**COUNTY:** Travis

HIGHWAY: SH 130

LIMITS: From: IH 35 and SH 195, North of Georgetown

To: IH 10 and US 90, East of Seguin

PARCEL NO: 396B

A: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE SERVICE/ACCESS ROAD WILL BE PERMITTED AS FOLLOWS:

Not Applicable - The remainder of the property does not abut the S.H. 130 service / access roads.

B: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE SERVICE/ACCESS ROAD WILL BE DENIED AS FOLLOWS:

Not Applicable - The remainder of the property does not abut the S.H. 130 service / access roads.

C: ACCESS TO AND FROM GRANTOR'S REMAINING PROPERTY TO THE MAIN TRAFFIC LANES OF THE SH 130 HIGHWAY FACILITY WILL BE DENIED.

### MINUTE ORDER EXHIBIT P PAGE 1 OF 17

Parcel 127 (Part 1) State Highway 121 CSJ: 0504 04 002 9/30/03

Being 44.119 acres of land, more or less, situated in the County of Tarrant, State of Texas, and being out of the McKinney and Williams Survey, Abstract No. 1119, the S. B. Kirkham Survey, Abstract 912, the Socorro Farming Co. Survey, Abstract No. 1841, and the W. Armstrong Survey, Abstract No. 2024 and being a part of that certain tract of land conveyed by the Resolution Trust Corporation (RTC) to Edward P. Bass, by Deed dated January 27, 1992, and recorded in Volume 10519, Page 4, Deed Records, Tarrant County, Texas, which 44.119 acres of land, more or less, is more particularly described as follows:

BEGINNING at a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set at the intersection of the proposed easterly line of State Highway 121 and the northerly line of said Bass tract, also being on the southerly line of Farm Market Highway 1187, (a 120 foot right of way recorded in Volume 3533, Page 163, Deed Records, Tarrant County, Texas), being in a curve to the right whose center bears North 04° 19' 21" West, a distance of 11519.16 feet, said iron rod bears a central angle of 01° 26' 11", a distance of 288.79 feet from a concrete monument found at the most northerly northeast corner of said Bass tract, said beginning point also being 1064.30 feet easterly of and at right angles to centerline survey station 1101+93.67 of said highway, and the beginning of a Control of Access Line; (\*\*)

The following seven (7) courses and distances being along the easterly line of said proposed highway;

- (1) THENCE South 73° 37' 31" West, a distance of 526.63 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (2) THENCE South 88° 48' 26" West, a distance of 161.62 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (3) THENCE South 44° 43' 52" West, a distance of 56.77 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (4) THENCE South 02° 55' 29" East, a distance of 687.73 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (5) THENCE South 00° 16' 25" West, a distance of 1642.89 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (6) THENCE South 05° 33' 09" East, a distance of 1361.36 feet to a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set at the beginning of a curve to the right, whose center bears South 84° 26' 51" West, a distance of 23063.31 feet; (\*\*)

### MINUTE ORDER EXHIBIT P PAGE 2 OF 17

Parcel 127 (Part 1) State Highway 121 CSJ: 0504 04 002 9/30/03

- (7) THENCE in a Southerly direction, along said curve, through a central angle of 01° 36' 55", a distance of 650.25 feet to a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the approximate south line of Tarrant County, also being the approximate north line of Johnson County, and the end of said Control of Access Line;
- (8) THENCE North 89° 41' 46" West, along said approximate County Line, a distance of 290.81 feet to a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the proposed westerly line of said State Highway 121, being in a curve to the left, whose center bears South 86° 00' 32" West, a distance of 22773.31 feet, and being the beginning of a Control of Access Line:
  - The following eight (8) courses and distances being along the westerly line of said proposed highway;
- (9) THENCE in a Northerly direction, along said curve, through a central angle of 01° 33' 41", a distance of 620.57 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (10) THENCE North 05° 33' 09" West, a distance of 1852.75 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (11) THENCE North 12° 21' 10" West, a distance of 1480.77 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (12) THENCE North 03° 52' 52 "West, a distance of 422.53 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (13) THENCE North 48° 52' 51" West, a distance of 58.69 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (14) THENCE South 88° 48' 27" West, a distance of 63.23 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)
- (15) THENCE North 86° 38' 12" West, a distance of 158.98 feet to a 5/8 inch smooth iron rod set with an aluminum cap stamped "TxDOT"; (\*\*)

### MINUTE ORDER EXHIBIT P PAGE 3 OF 17

Parcel 127 (Part 1) State Highway 121 CSJ: 0504 04 002 9/30/03

- (16) THENCE North 69° 44' 09" West, a distance of 268.50 feet to a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the southerly line of said Farm Market Highway 1187, also being the northerly line of said Bass tract, being in a curve to the left, whose center bears North 00° 06' 20" West, a distance of 2924.79 feet, and the end of said Control of Access Line; (\*\*)
- (17) THENCE in an Easterly direction, along the northerly line of said Bass tract, also being the southerly line of said Farm Market Highway 1187, and with said curve, through a central angle of 01° 01' 37", a distance of 52.42 feet to a concrete monument found;
- (18) THENCE North 88° 55' 57" East, continuing along the northerly line of said Bass tract, also being the southerly line of said Farm Market Highway 1187, a distance of 1175.46 feet to a concrete monument found at the beginning of a curve to the left, whose center bears North 01° 04' 40" West, a distance of 11519.16 feet;
- (19) THENCE in an Easterly direction, continuing along the northerly line of said Bass tract, also being the southerly line of said Farm Market Highway 1187, and with said curve, through a central angle of 03° 14' 40", a distance of 652.29 feet to the POINT OF BEGINNING.

### Notes:

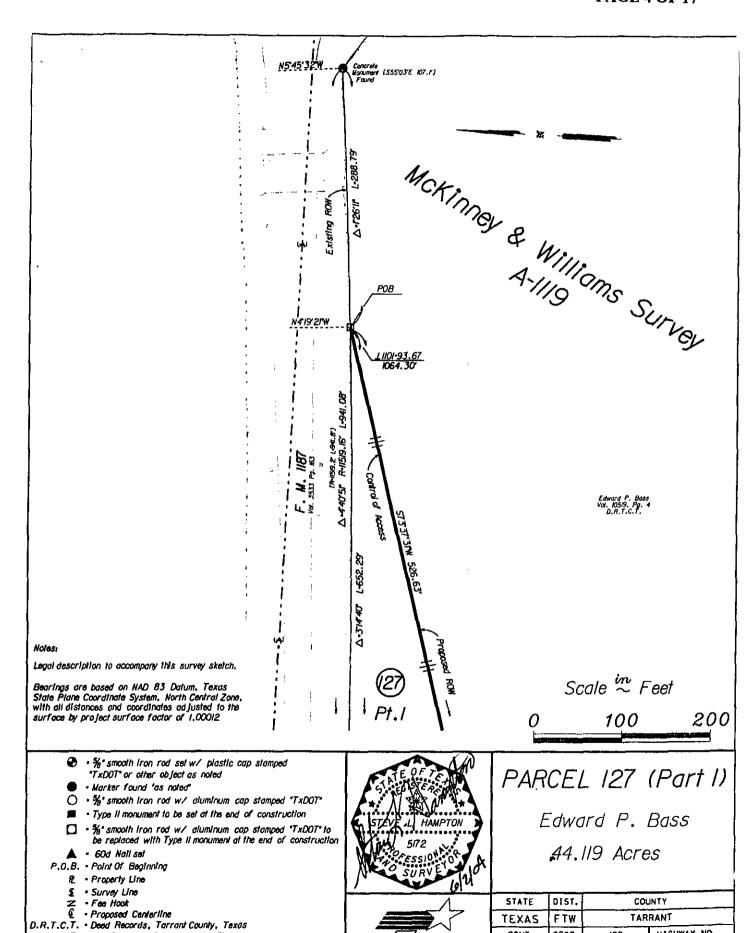
(\*\*) The monument described and set in this call may be replaced with a TxDOT Type II right of way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor either employed or retained by TxDOT.

Bearing are based on NAD 83 Datum, Texas State Plane Coordinates, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00012.

Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

Survey sketch to accompany this legal description.





P.R.T.C.T. - Plat Records, Tarrant County, Texas [ ] • Record Information

- Control of Access

CONT.

0504

SECT.

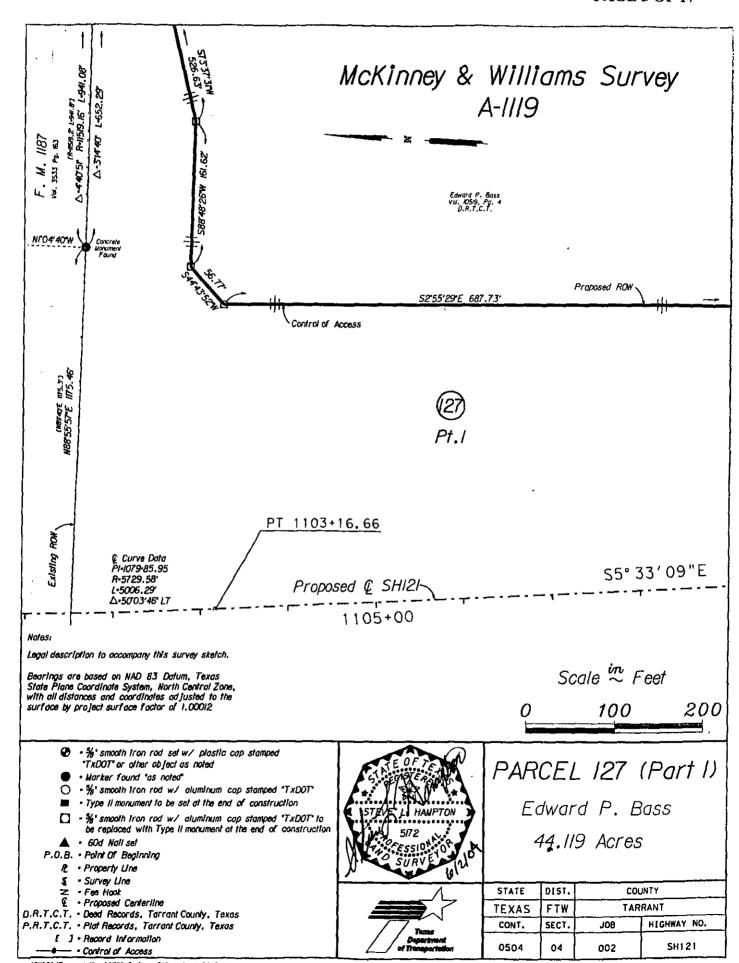
04

JOB

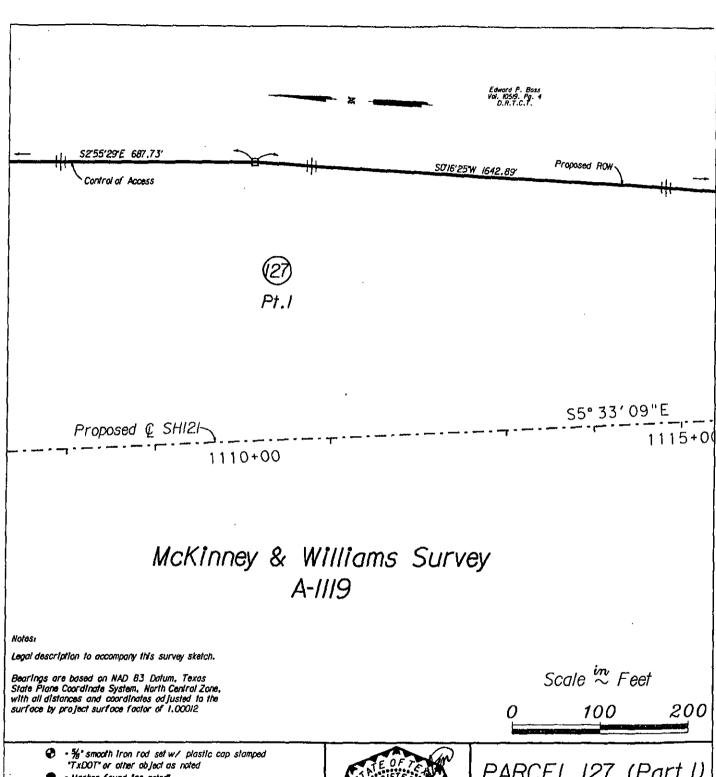
002

HIGHWAY NO.

SH121



### MINUTE ORDER EXHIBIT P **PAGE 6 OF 17**



. Marker found "as noted"

○ • % smooth fron rod w/ aluminum cap stamped "TxDOT"

■ • Type II monument to be set at the end of construction

☐ - % smooth Iron rod w/ aluminum cap stamped "TxDOT" to be replaced with Type II monument at the end of construction

▲ • 60d Nall set

P.O.B. . Point Of Beginning

Æ • Property Line

S - Survey Line

· Fee Hook

⊈ - Proposed Centerline

D.R.T.C.T. • Deed Records, Tarrant County, Texas P.R.T.C.T. • Plat Records, Tarrant County. Texas

194171 /marrant /24477721 7 dom #12/2004 2:13-40 gw

[ ] • Record Information

- · Control of Access



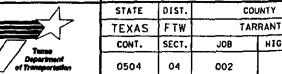
PARCEL 127 (Part I)

Edward P. Bass

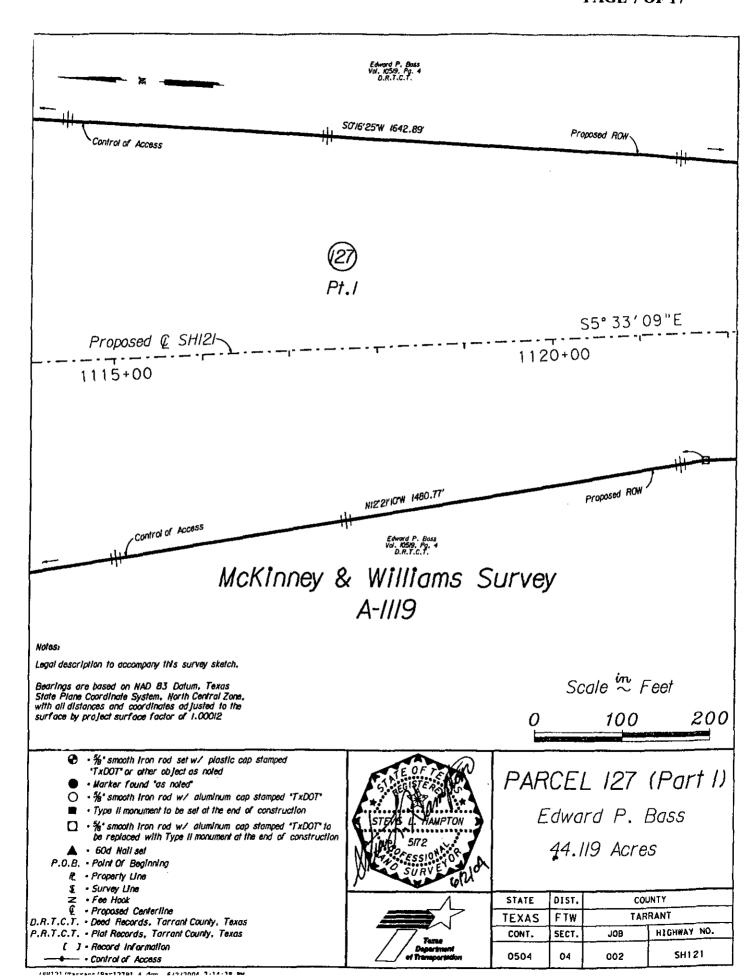
HIGHWAY NO.

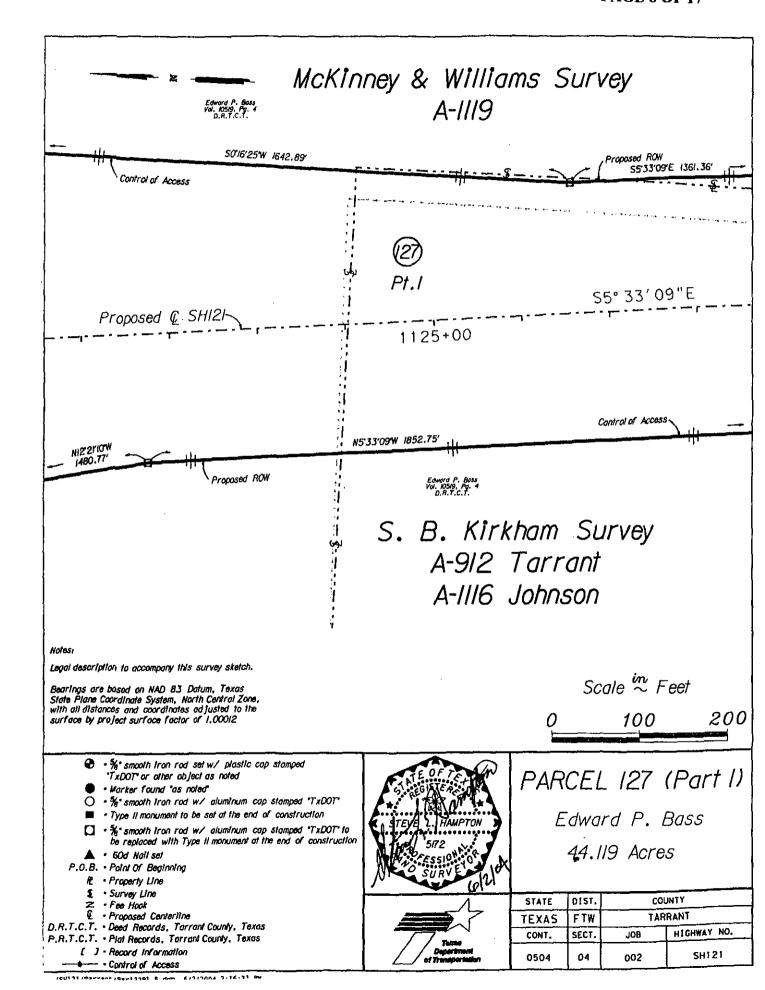
SH121

44.119 Acres

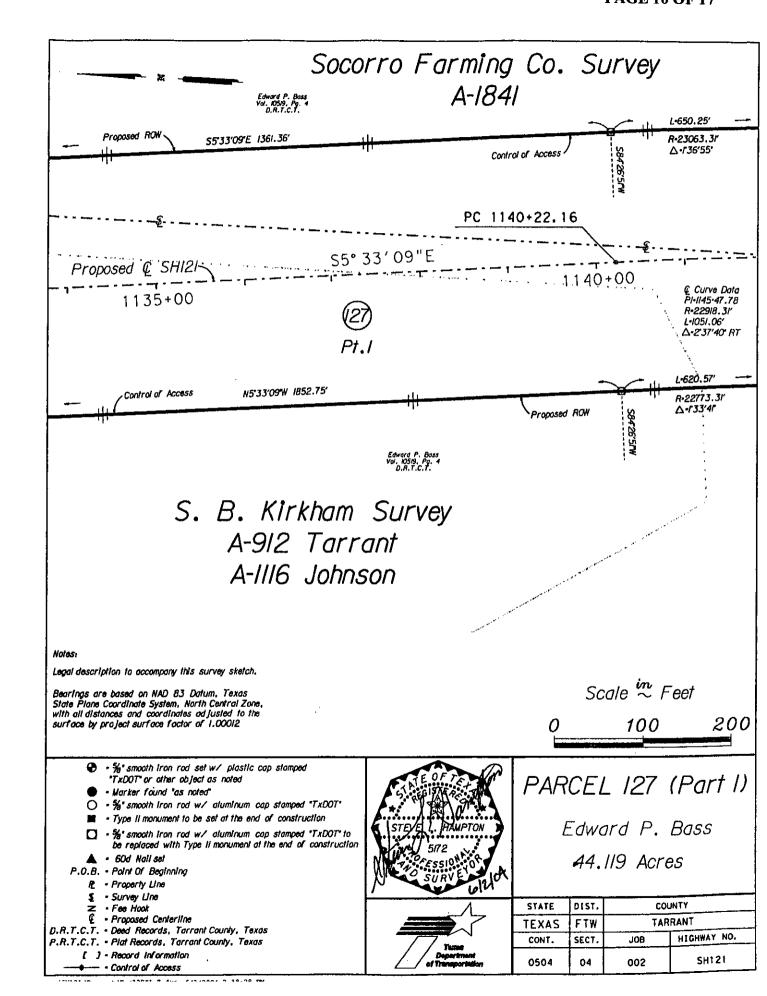


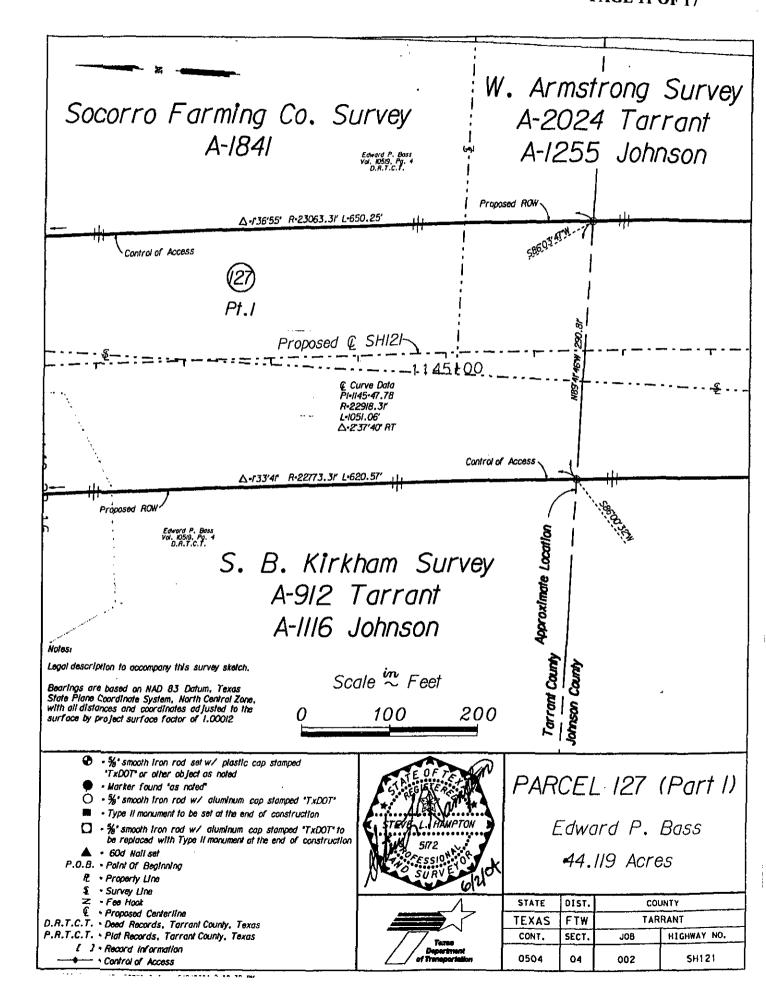
### MINUTE ORDER EXHIBIT P PAGE 7 OF 17

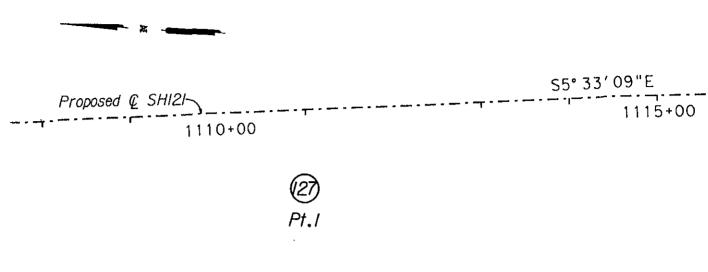




McKinney & Williams Sur A-III9	/ Pass Vey (A)  SOCOTTO  33'09'E   1361.36'	Farming A-18	g Co. Surve) Al  Control of Access
	·L	,	-5
Proposed & SHI2I	 (27)	S5	9° 33′ 09"E
	Pt.I		
Control of Access	N5:33'05'W 1852.75'	Pri	oposed ROW
A	. Kirkham . -912 Tarra A-1116 Johnso	nt	
Notes: Legal description to accompany this survey sketch.  Bearings are based on NAD 83 Datum, Texas State Plane Coordinate System, North Central Zone, with all distances and coordinates ad justed to the surface by project surface factor of 1.00012		So • 0	cale <sup>im</sup> Feet 100 200
** *%* smooth fron rod set w/ plastic cap stamped	SURVE OF TOTAL STREET OF THE PROPERTY OF THE P	Edwa	L 127 (Part 1)  ord P. Bass  19 Acres  county tarrant JOB HIGHWAY NO.  002 SH121







Proposed ROW NIZ 2110W 1480.77 , Control of Access

### McKinney & Williams Survey A-1119

Notes:

Legal description to accompany this survey sketch.

Bearings are based on NAD 83 Datum, Texas Sidte Plane Coordinate System, North Central Zone, with all distances and coordinates of justed to the surface by project surface factor of 1.00012

Scale \* Feet

200 100

- %\* smooth iron rod set w/ plastic cap stamped
   \*TxDOT\* or other object as noted
- . Marker found "as noted"
- \*%\* smooth Iron rod w/ aluminum cap stamped \*TxDOT\*
- • Type II monument to be set at the end of construction
- % smooth fron rod w/ aluminum cap stamped "TxDOT" to be replaced with Type II monument at the end of construction
- A 60d Nall set
- P.O.B. . Point Of Beginning
  - ₽ Property Une
  - S . Survey Line
  - Fee Hook
- © Proposed Centerline
  D.R.T.C.T. Deed Records, Tarrant County, Texas P.R.T.C.T. \* Plat Records, Tarrant County, Texas

PERSON | DEC | 17701 6 Am 6/2/2004 2:21-08 PM

[ ] - Record Information - \* Control of Access



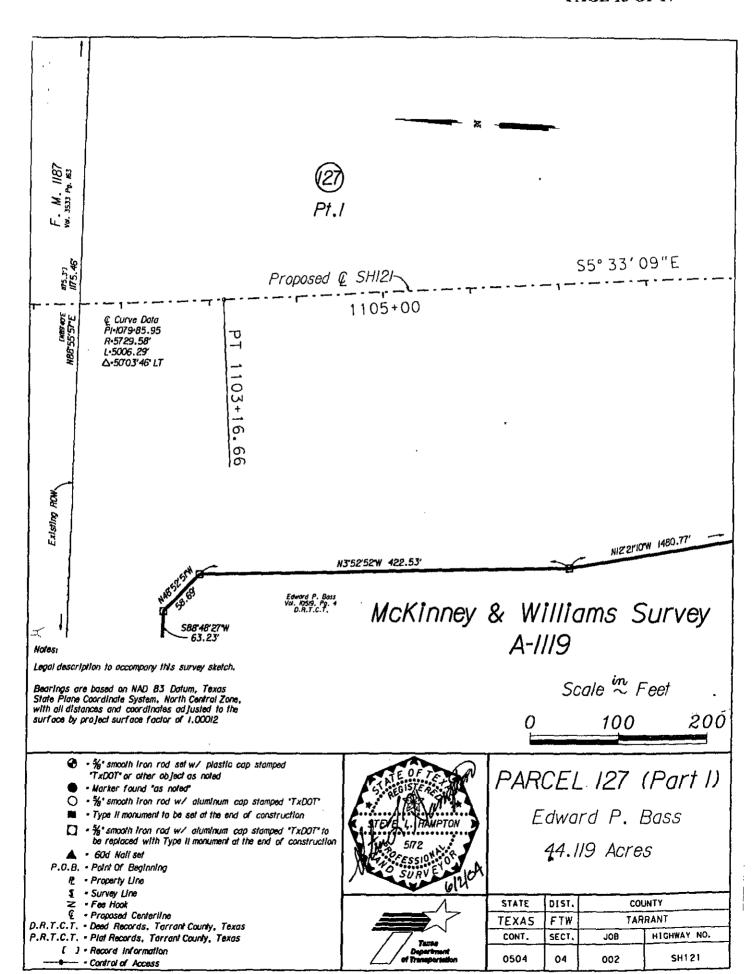
PARCEL 127 (Part I)

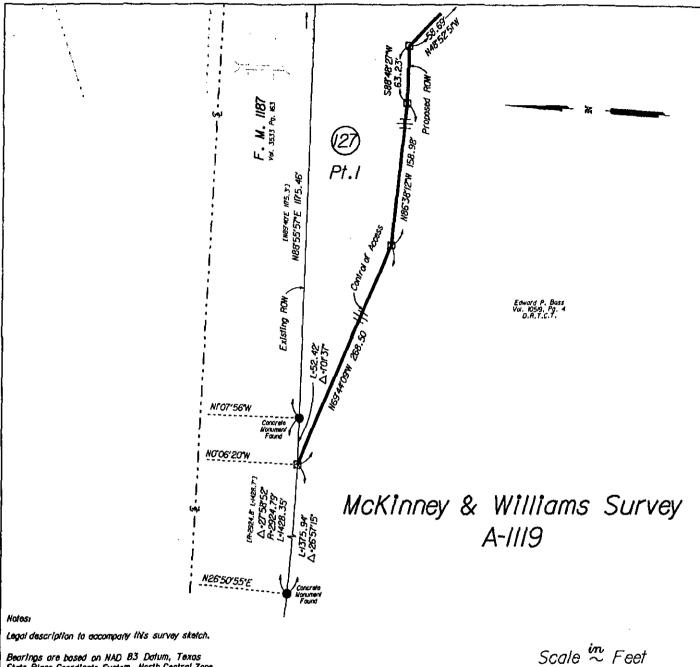
Edward P. Bass

44.119 Acres

4
//
7 7
/ Tomas
Constitute
/ / projections
of Transportation

STATE	DIST.	COUNTY			
TEXAS	FTW	TARRANT			
CONT.	SECT.	JOB	HIGHWAY NO.		
0504	04	002	SH121		





State Plane Coordinate System, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1,00012

100

200

- → ¾\* smooth Iron rod set w/ plastic cap stamped "TxDOT" or other object as noted
- · Marker found \*as noted\*
- - 5/8' smooth fron rod w/ aluminum cap stamped "TxDOT"
- Type II monument to be set at the end of construction
- -% smooth iron rod w/ aluminum cap stamped "TxDOT" to be replaced with Type II monument at the end of construction
  - 60d Hall set
- P.O.B. \* Point Of Beginning
  - R . Property Une

  - Survey Line - Fee Hook
  - Proposed Centerline
- D.R.T.C.T. Deed Records, Tarrant County, Texas P.R.T.C.T. Plat Records, Tarrant County, Texas
- - [ ] Record Information
  - -- Control of Access



PARCEL 127 (Part I)

Edward P. Bass

.44.119 Acres

_/_	
Tomas	
Department of Transportation	

STATE	DIST.	COUNTY			
TEXAS	FTW	TARRANT			
CONT.	SECT.	JOB	HIGHWAY NO.		
0504	04	002	SH121		

## MINUTE ORDER EXHIBIT P PAGE 15 OF 17

Parcel 127 (Part 2) Highway 121 CSJ: 0504 04 002 9/30/03

Being 2.702 acres of land, more or less, situated in the County of Johnson, State of Texas, being out of the S. B. Kirkham Survey, Abstract 1116 and the W. Armstrong Survey, Abstract No. 1255 and being a part of that certain tract of land conveyed by the Resolution Trust Corporation (RTC) to Edward P. Bass, by Deed dated January 27, 1992, and recorded in Volume 10519, Page 4, Deed Records, Tarrant County, Texas, which 2.702 acres of land, more or less, is more particularly described as follows:

BEGINNING at the intersection of the proposed easterly line of State Highway 121 and the south line of said Bass tract, said beginning point bears South 89° 34' 12" West, a distance of 174.93 feet from the most southerly southeast corner of said Bass tract, a 1 inch reference iron rod found bears North 00° 53' 33" West, a distance of 86.00 feet from said most southerly southeast corner, said beginning point also being 145.00 feet easterly of and at right angles to centerline survey station 1150+69.81 of said highway and in County Road 920A;

- (1) THENCE South 89° 34' 12" West, along the south line of said Bass tract and with said County Road 920A, a distance of 204.27 feet to an angle point in said south line;
- (2) THENCE South 89° 36' 33" West, continuing along said south line and with said County Road, a distance of 86.01 feet to the proposed westerly line of said State Highway 121, being in a curve to the left whose center bears South 87° 02' 05" West, a distance of 22773.31 feet, also being the beginning of a Control of Access Line;
- (3) THENCE in a Northerly direction, along said proposed westerly line and with said curve, at a central angle of 00° 03'19", a distance of 21.99 feet passing a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the northerly line of said County Road 920A, and continuing in all through a central angle of 01° 01' 33", a distance of 407.71 feet to a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the approximate north line of Johnson County, also being the approximate south line of Tarrant County and the end of said Control of Access Line; (\*\*)
- (4) THENCE South 89° 41' 46" East, along said approximate County Line, a distance of 290.81 feet to a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the proposed easterly line of said State Highway 121, being in a curve to the right whose center bears South 86° 03' 47" West, a distance of 23063.31 feet and being the beginning of a Control of Access line (\*\*)

### MINUTE ORDER EXHIBIT P PAGE 16 OF 17

Parcel 127 (Part 2) State Highway 121 CSJ: 0504 04 002 9/30/03

(5) THENCE in a Southerly direction, along said proposed easterly line and with said curve, at a central angle of 00° 56' 51", a distance of 381.35 feet passing a 5/8 inch smooth iron rod with an aluminum cap stamped "TxDOT" set on the northerly line of said County Road 920A, and continuing in all through a central angle of 01° 00' 13", a distance of 404.02 feet to the POINT OF BEGINNING and the end of said Control of Access Line, of which 0.149 acres of land, more or less, lies within County Road 920A, leaving a net of 2.553 acres of land, more or less. (\*\*)

Notes:

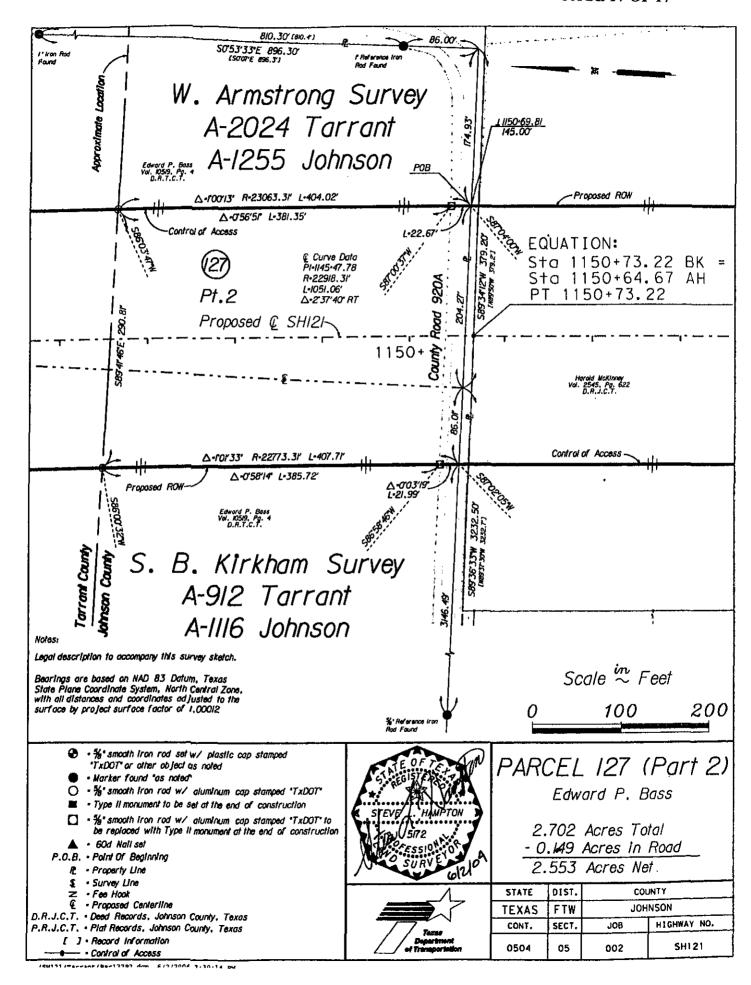
(\*\*) The monument described and set in this call may be replaced with a TxDOT Type II right of way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor either employed or retained by TxDOT.

Bearing are based on NAD 83 Datum, Texas State Plane Coordinates, North Central Zone, with all distances and coordinates adjusted to the surface by project surface factor of 1.00012.

Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

Survey sketch to accompany this legal description.





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## MINUTE ORDER EXHIBIT Q PAGE 1 OF 3

County: <u>DALLAS</u> Highway: I.H. 635

Project Limits: From: North Dallas Tollway

To: Hillcrest Road

ROW CSJ: 2374-01-150 ACCT: 9118-01-037 D-15-14 May 31, 2004

Revised: December 30,2005

### Legal Land Description for Parcel 33

BEING a 0.244 acre portion of that certain called 4.0 acre parcel situated in Edward Wilburn Survey, Abstract No. 1583, in the City of Dallas, Dallas County, Texas, being in Block 7433, which was conveyed to King Of Glory Lutheran Church, as evidenced by the deeds recorded in Volume 920 at Page 1080 and Volume 82158 at Page 1267 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2-inch steel rod found in the east line of said King Of Glory parcel, same being the northwest corner of Lot 1, Block A/7427 of Northwood Homes, an addition to the City of Dallas, according to the map recorded in Volume 32 at Page 199 of the Map Records of Dallas County, Texas;

THENCE, along the common line between said King Of Glory parcel and said Lot 1, South 16°48'35" West, a distance of 151.87 feet to a 5/8-inch steel rod with TxDOT aluminum cap found for the southwest corner of said Lot 1 and lying in the existing and new northern right-of-way lines of Interstate Highway 635, variable width rights-of-way, the POINT OF BEGINNING; \*\*

- 1. THENCE, along said existing northern right-of-way line, South 16°48'35" West, a distance of 20.99 feet to a point being the southeast corner of said King Of Glory parcel;
- 2. THENCE, continuing along said existing northern right-of-way line, South 89°01'11" West, a distance of 499.87 feet to a bolt found for the southwest corner of said King Of Glory parcel, same being the southeast corner of Lot 4, Block E/7433 of the replat of Coterie II, an addition to the City of Dallas according to the map recorded in Volume 77143 at Page 1897 of the Map Records of Dallas County, Texas;
- 3. THENCE, along the common line between said King Of Glory parcel and said Lot 4, North 16°12'32" East, a distance of 22.86 feet to a 5/8-inch steel rod with TxDOT aluminum cap set for corner lying in said new northern right-of-way line of Interstate Highway 635 and at the beginning of this Control of Access Line and the beginning of a non-tangent curve to the right having a central angle of 01°17'59", a radius of 2,804.46 feet, and a long chord which bears North 88°39'55" East for a distance of 63.62 feet;

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## MINUTE ORDER EXHIBIT Q PAGE 2 OF 3

County: DALLAS Highway: I.H. 635

Project Limits: From: North Dallas Tollway

May 31, 2004 Revised: December 30,2005

D-15-14

To: Hillcrest Road

ROW CSJ: 2374-01-150 ACCT: 9118-01-037

### Legal Land Description for Parcel 33

- 4. THENCE, along said new northern right-of-way line, and said curve to the right, at an arc distance of 35.68 feet passing a 5/8-inch steel rod set for the end of this Control of Access Line, continuing for a total arc distance of 63.62 feet to a 5/8-inch steel rod with TxDOT aluminum cap set for corner; \*\*
- 5. THENCE, continuing along said new northern right-of-way line, North 89°18'55" East, a distance of 435.92 feet to the POINT OF BEGINNING; and containing an area of 10,622 square feet, or 0,244 acres of land, more or less.

I, Dennis R. Maloney, Jr., Registered Professional Land Surveyor, do hereby certify that the above description correctly represents the results of a survey made on the ground.

Dennis R. Maloney, Ir

R.P.L.S. No. 5431

December 31, 2003

DENNIS R. MALONEY JR.

5431

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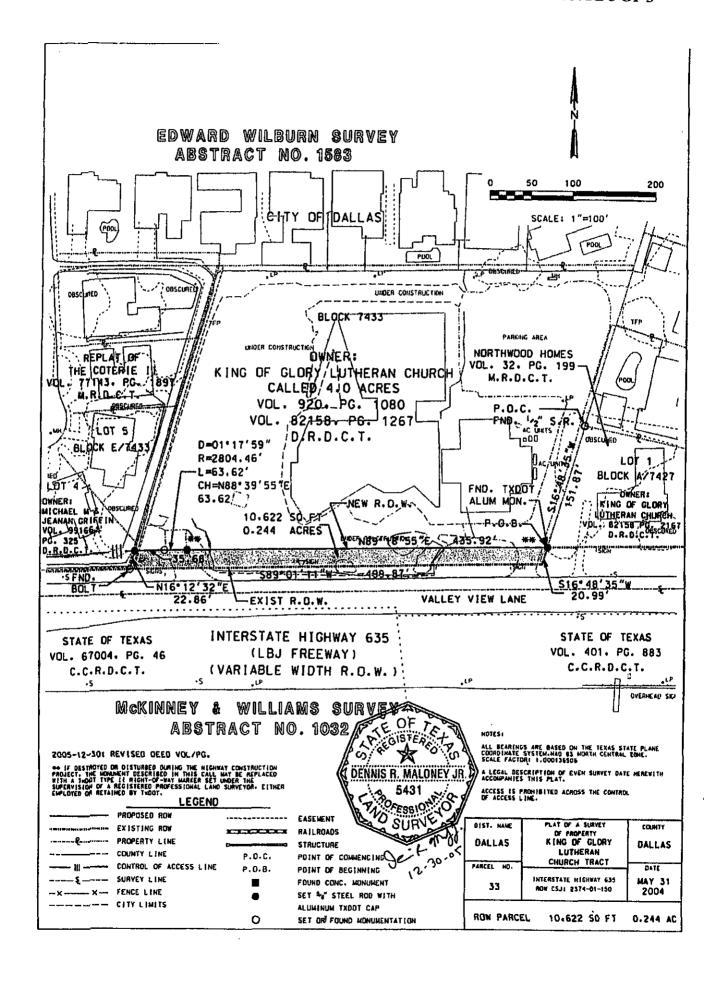
#### Notes:

- 1. All bearings are based on the Texas State Plane Coordinate System, NAD 83, North Central Zone. Scale factor: 1.000136506
- 2. A survey plat of even date herewith accompanies this legal description.

\*\*If destroyed or disturbed during the highway construction project, the monument described in this call may be replaced with a TxDOT Type II Right-of-Way Marker set under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access is prohibited across the "Control of Access Line" to the highway facility from the adjacent property.

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## MINUTE ORDER EXHIBIT R PAGE 1 OF 4

January 21, 2005

COUNTY:

**DALLAS** 

HIGHWAY:

I.H. 635

ROW CSJ: DGN CSJ: 2374-01-152

ACCOUNT:

2374-01-068 9118-01-038

### **Description for Parcel 9**

Being 2,572 square feet of land situated in the Noah Good Survey, Abstract No. 520, Dallas County, Texas and being a portion of that certain tract of land conveyed in deed to Bob Evans Farms, Inc. as recorded in Volume 93079, Page 2150 of the Deed Records of Dallas County, Texas said tract of land being Lot 5, Block A out of an addition known as Replat Pace Addition, an Addition in the City of Farmers Branch and recorded in Volume 93045, Page 3876 of said deed records said 2,572 square feet of land being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2" iron rod with a red cap stamped "Prism Surveys" found marking the southwest corner of that certain tract of land, being Block 1, Lot 1, of Exxon No. 6-3903 Addition an addition to the City of Farmers Branch recorded in Volume 86157, Page 4926 of said deed records same being the intersection of the north Right-of-Way line of I.H. 635 (a variable width Right-of-Way) described in deed to the State of Texas as recorded in Volume 235, Page 56 of said deed records and the east Right-of-Way line of Midway Road (a variable width Right-of-Way);

THENCE S 63°30'47" W, over and across said Midway Road, a distance of 175.11 feet to the **POINT OF BEGINNING**, said point being at the intersection of the north Right-of-Way line of said I.H. 635 described in deed to the State of Texas, Tract 2 as recorded in Volume 443, Page 364 of said deed records and the west Right-of-Way line of said Midway Road;

- (1) THENCE S 66°37'10" W, along said north Right-of-Way line, common with the south line of said Bob Evans tract, a distance of 19.09 feet to an "X"-Cut set\*\*and also being the beginning of a Control of Access Line;
- (2) THENCE N 13°00'33" E, along the new western Right-of-Way line of said Midway Road, also being a Control of Access Line, for a distance of 35.43 feet to a 5/8" iron rod with an aluminum cap stamped "TxDot" set\*\*, and also being the end of this Control of Access Line;
- (3) THENCE along a curve to the right having a radius of 846.46 feet, a delta angle of 08°21'02", a long chord that bears N 13°58'33" W, a distance of 123.26 feet, and an arc distance of 123.37 feet to a 5/8" iron rod with an aluminum cap stamped "TxDot" set\*\*;

### MINUTE ORDER EXHIBIT R PAGE 2 OF 4

COUNTY: DALLAS HIGHWAY: I.H. 635

January 21, 2005

ROW CSJ: 2374-01-152 DGN CSJ: 2374-01-068 ACCOUNT: 9118-01-038

### **Description for Parcel 9**

- (4) THENCE along a curve to the right having a radius of 162.40 feet, a delta angle of 06°19'26", a long chord that bears N 06°38'18" W, a distance of 17.92 feet, and an arc distance of 17.92 feet to an "X"-Cut set\*\*, in the north line of said Bob Evans tract, common with a south line of that certain tract of land described in deed to State Street Bank and Trust Company of Connecticut National Association, as recorded in Volume 96044, Page 4271 of said deed records;
- (5) THENCE N 89°13'39" E, along said common line, a distance of 12.98 feet to the northeast corner of said Bob Evans tract, same being in the west Right-of-Way line of said Midway Road;
- (6) THENCE along the east line of said Bob Evans tract, common with said west Right-of-Way line of Midway Road, with a curve to the left having a radius of 840.42 feet, a delta angle of 07°18'29", a long chord that bears S 14°53'59" E, a distance of 107.12 feet, and an arc distance of 107.20 feet to a point for corner, from said point a 1/2" iron rod found, bears S 01°08'02" E, a distance of 0.52 feet;
- (7) THENCE S 00°48'35" E, continuing along said common line, a distance of 61.01 feet to the **POINT OF BEGINNING**, and containing 2572 square feet of land, more or less.

IN ADDITION a Control of Access Line delineating a denial of access to the transportation facility from the adjacent property along the common boundary of I.H. 635 as conveyed by deed to the State of Texas, Tract 2 as recorded in Volume 443, Page 364 of said deed records, and a tract of land conveyed to said Bob Evans Farms tract of land; said Control of Access Line being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod with a red cap stamped "Prism Surveys" found marking the southwest corner of that certain tract of land, being Block 1 of Exxon No. 6-3903 Addition, an addition to the City of Farmers Branch recorded in Volume 86157, Page 4926 of said deed records same being the intersection of the north Right-of-Way line of I.H. 635 (a variable width Right-of-Way) described in deed to the State of Texas as recorded in Volume 235, Page 56 of said deed records and the east Right-of-Way line of Midway Road (a variable width Right-of-Way);

## MINUTE ORDER EXHIBIT R PAGE 3 OF 4

January 21, 2005

COUNTY: DALLAS HIGHWAY: I.H. 635

2374-01-152 2374-01-068

DGN CSJ: ACCOUNT:

ROW CSJ:

9118-01-038

### **Description for Parcel 9**

THENCE S 63°30'47" W, over and across said Midway Road, a distance of 175.11 feet to a point, said point being at the intersection of the north Right-of-Way line of said I.H. 635 described in deed to the State of Texas, Tract 2 as recorded in Volume 443, Page 364 of said deed records and the west Right-of-Way line of said Midway Road;

THENCE S 66°37'10" W, along said north Right-of-Way line, common with the south line of said Bob Evans tract, a distance of 19.09 feet to an "X"-Cut set\*\* for this Control of Access Line;

1) THENCE S 66°37'10" W along the existing north Right-of-Way line of I.H. 635 and along the Control of Access Line for a distance of 208.50 feet to a "X"-cut set\*\*, at the end of this control of Access Line.

\*\* The Monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Basis of Bearings is based on the Texas State Plane Coordinate System, NAD 83 (1993 Adj.) North Central Zone, all distances and coordinates shown are surface and may be converted to grid by dividing by TxDOT conversion factor of 1.000136506.

Access is prohibited across the Control of Access Line to the highway facility from the adjacent property.

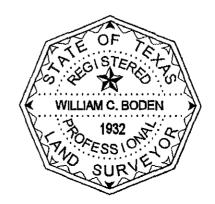
A parcel plat of even date herewith accompanies this property description.

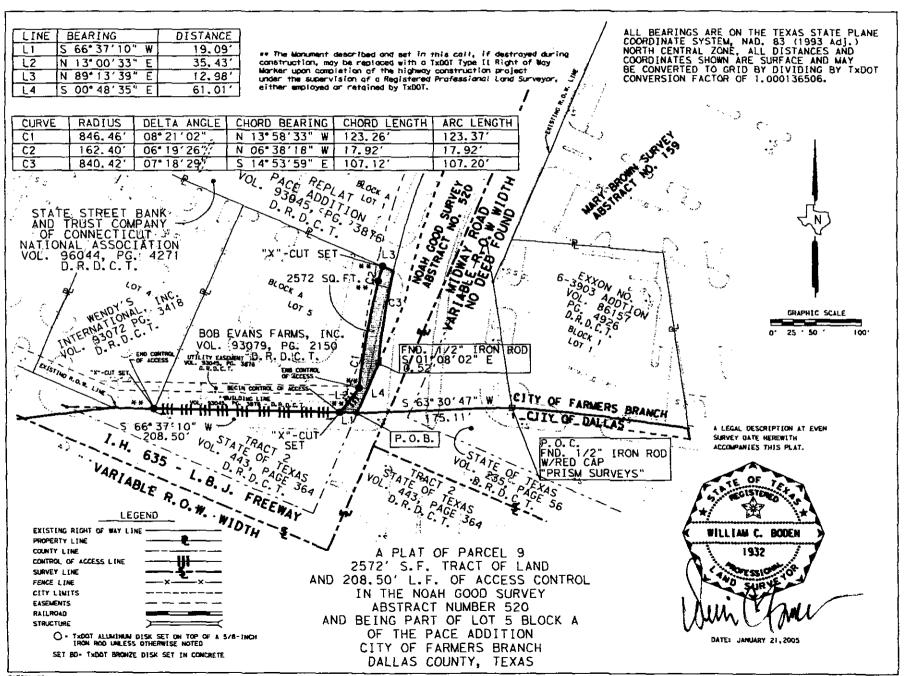
William C. Boden, R.P.L.S.

Registered Professional Land Surveyor

Texas Registration No. 1932

Carter Burgess Inc. 7950 Elmbrook Dr Dallas, Texas 75429 214-638-0145 January 21, 2005





## MINUTE ORDER EXHIBIT S PAGE 1 OF 3

November 8, 2004

Updated: January 21, 2005

COUNTY:

DALLAS

HIGHWAY:

I.H. 635

ROW CSJ:

2374-01-152

DGN CSJ:

2374-01-068

ACCOUNT:

9118-01-038

### Description for Parcel 16

Being a 6,020 square feet of land situated in the Mary Brown Survey, Abstract No. 159, Dallas County, Texas, being Lot 4, Block 1 of the "Lot 4 and 5, Block 1, Metropolitan Industrial Park Addition Three" an addition to the City of Farmers Branch, recorded in Volume 92201, Page 2752 of the Deed Records of Dallas County, Texas, said Lot 4 being conveyed by deed to Recreational Equipment, INC., recorded in Volume 92198, Page 1194 of said deed records, said 6,020 square feet of land being more particularly described by metes and bounds as follows:

**COMMENCING** at the common northwest corner of said Recreational Equipment and the common northeast corner of a tract of land conveyed by deed to Consolidated Freed Properties Limited Partnership, recorded in Volume 95182, Page 05841 of said deed records, from which a 1 /2" found iron rod bears S 14°37'53" E a distance of 0.30 feet;

THENCE S 00°07'47" E, along the common west property line of said Recreational Equipment tract of land and the common east property line of said Consolidated Freed Properties tract of land a distance of 502.10 feet to a "60D" nail set\*\*, for the **POINT OF BEGINNING**;

- (1) THENCE departing said common line and along a curve to the left being the new north Right-of-Way line of i.H. 635, having a radius of 5,691.93 feet, a delta angle of 01°31'40", a long chord that bears N 87°09'02" E, a distance of 151.78 feet, and an arc distance of 151.78 feet to a "PK" nail set,\*\*;
- (2) THENCE N 86°23'11" E, along said new Right-of-Way line a distance of 58.50 feet to a PK nail set\*\*, on a common east line of said Recreational Equipment tract of land and a common west line of a tract of land as conveyed by deed to Robert and Helen Larner Community Property Revocable Trust, recorded in Volume 98185, Page 07878 of said deed records, said Larner tract of land being Lot 5, Block 1 out of said "Lot 4 and 5, Block 1, Metropolitan industrial Park Addition Three";
- (3) THENCE S 00°43′52" E, along said common line a distance of 33.47 feet to a point on the existing north Right-of-Way line of I.H. 635 as conveyed by deed to the State of Texas, recorded in Volume 235, Page 56 of said deed records, said point being the common southeast corner of said Recreational Equipment, INC. and the common southwest corner of said Larner tract of land

### MINUTE ORDER EXHIBIT S PAGE 2 OF 3

November 8, 2004

Undated: January 21, 2005

COUNTY: DALLAS HIGHWAY:

I.H. 635

ROW CSJ: 2374-01-152

DGN CSJ: 2374-01-068 ACCOUNT: 9118-01-038

### Description for Parcel 16

- THENCE S 89°17'21" W, along the common south line of said Recreational (4) Equipment tract of land and the common existing north Right-of-Way line of said I.H. 635 a distance of 210.36 feet to a point for corner, said corner being the common southwest corner of said Recreational Equipment tract of land and the common southeast corner of said Consolidated Freed Properties tract of land:
- THENCE N 00°07'47" W. along the common west line of said Recreational (5)Equipment tract of land and the common east line of said Consolidated Freed Properties tract of land a distance of 24.85 feet to the POINT OF BEGINNING, and containing 6,020 square feet of land, more or less.
- \*\* The Monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor. either employed or retained by TxDOT.

Basis of Bearings is based on the Texas State Plane Coordinate System, NAD 83 (1993) Adi.) North Central Zone, all distances and coordinates shown are surface and may be converted to grid by dividing by TxDOT conversion factor of 1.000136506.

Access is allowed to the transportation facility from the adjacent property.

A parcel plat of even date herewith accompanies this property description.

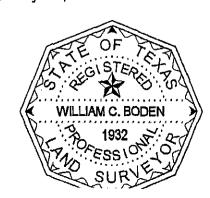
William C. Boden, R.P.L.S.

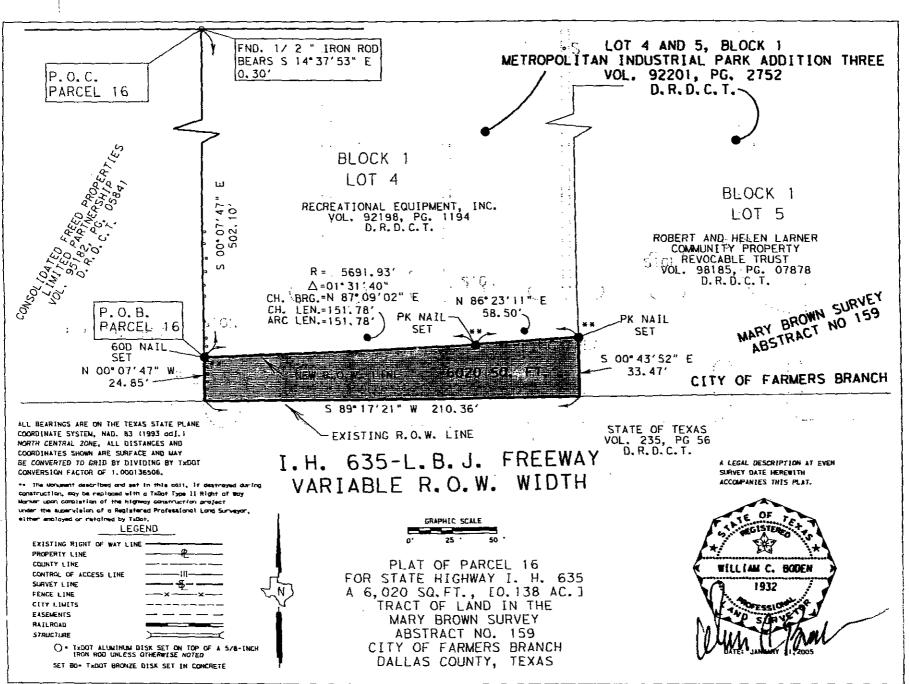
Registered Professional Land Surveyor

Texas Registration No. 1932

Carter Burgess Inc. 7950 Elmbrook Dr Dallas, Texas 75429 214-638-0145

January 21, 2005





PARCEL 16

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#### MINUTE ORDER EXHIBIT T PAGE 1 OF 5

November 9, 2004

Updated: January 21, 2005

COUNTY: D

DALLAS

HIGHWAY:

I.H. 635

ROW CSJ:

2374-01-152

DGN CSJ: ACCOUNT: 2374-01-068

9118-01-038

#### **Description for Parcel 20**

Being a 8132 square feet tract of land situated in the Mary Brown Survey, Abstract No. 159, Dallas County, Texas and being a portion of that certain tract of land described in deed to W.O. Bankston Nissan, Inc. as recorded in Volume 2003123, Page 08399 of the Deed Records of Dallas County, Texas, said 8132 square feet tract of land situated in the City of Farmers Branch and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2" iron rod found marking the most easterly northeast corner of said W.O. Bankston tract, common with the northwest corner of W.O. Bankston Paint and Body, Inc., as recorded in Volume 97095, Page 00001, of said deed records;

THENCE S 00°05'49" W, a distance of 496.92 feet to a 1/2" iron rod found marking the southeast corner of said W.O. Bankston Nissan tract, common with the southwest corner of said W.O. Bankston Paint and Body tract, for the **POINT OF BEGINNING** in the north line of I.H. 635 right-of-way, as recorded in deed to the State of Texas, Volume 235, Page 56 of said deed records.

- (1) THENCE N 88°07'19" W, along the north line of I.H. 635 right-of-way, a distance of 149.57 feet to a "TxDOT" aluminum disc stamped 2190 found;
- (2) THENCE S 87°26'15" W, along the north line of l.H. 635 right-of-way, a distance of 170.31 feet to an "X" cut found marking the southwest corner of said W.O. Bankston Nissan tract;
- (3) THENCE along the easterly line of Welch Road, a 60 foot right-of-way as recorded in Volume 67222, Page 1484 of said deed records with a curve to the left having a radius of 438.76 feet, a delta angle of 21°53'13", a long chord that bears N 13°31'36" W a distance of 166.59 feet, an arc distance of 167.61 feet to a point for corner;
- (4) THENCE N 65°28'45" E, a distance of 3.63 feet a PK nail set\*\*;
- (5) THENCE along a curve to the right having a radius of 432.75 feet, a delta angle of 14°31'08", a long chord that bears S 17°15'41" E a distance of 109.37 feet, an arc distance of 109.66 feet to a PK nail set\*\*;
- (6) THENCE S 39°43'50" E, distance of 25.98 feet a PK nail set\*\*;

## MINUTE ORDER EXHIBIT T PAGE 2 OF 5

COUNTY: DALLAS

HIGHWAY: I.H. 635 November 9, 2004 ROW CSJ: 2374-01-152 Updated: January 21, 2005

DGN CSJ: 2374-01-068

ACCOUNT: 9118-01-038

#### **Description for Parcel 20**

(7) THENCE S 72°09'59" E, a distance of 22.45 feet a PK nail set\*\*;

- (8) THENCE S 88°54'10" E, a distance of 147.75 feet a PK nail set\*\*;
- (9) THENCE S 84°12'30" E, a distance of 132.57 feet a 5/8" iron rod with an aluminum cap stamped "TxDOT" set\*\*;
- (10) THENCE S 87°23'58" E, a distance of 5.28 feet a 5/8" iron rod with an aluminum cap stamped "TxDOT" set\*\* in the east line of said W.O. Bankston Nissan tract, common with the west line of said W.O. Bankston Paint and Body tract;
- (11) THENCE S 00°05'49" W, along said common line, a distance of 13.02 feet to the **POINT OF BEGINNING**, and containing 8132 square feet of land, more or less.

### MINUTE ORDER EXHIBIT T PAGE 3 OF 5

November 9, 2004

COUNTY: **DALLAS** 

I.H. 635 HIGHWAY: 2374-01-152 Updated: January 21, 2005 ROW CSJ:

DGN CSJ: 2374-01-068 9118-01-038 ACCOUNT:

## **Description for Parcel 20**

\*\* The Monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor. either employed or retained by TxDOT.

Basis of Bearings is based on the Texas State Plane Coordinate System, NAD 83 (1993) Adj.) North Central Zone, all distances and coordinates shown are surface and may be converted to grid by dividing by TxDOT conversion factor of 1.000136506.

A parcel plat of even date herewith accompanies this property description.

William C. Boden, R.P.L.S.

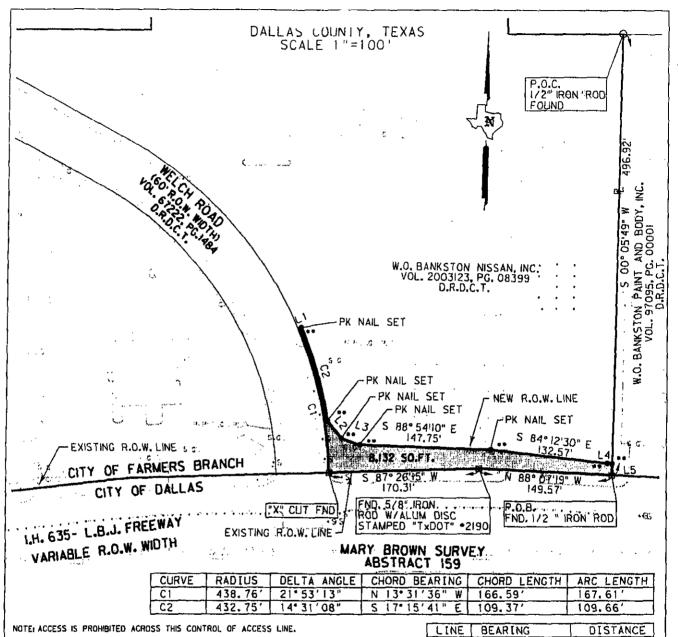
Registered Professional Land Surveyor

Texas Registration No. 1932

Carter Burgess Inc. 7950 Elmbrook Dr Dallas, Texas 75429 214-638-0145

January 21, 2005

#### MINUTE ORDER EXHIBIT T PAGE 4 OF 5



WILLIAM C. BODEN

| |--- | CONTROL OF ACCESS LINE.

ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 (1993 ADL.), NORTH CENTRAL ZONE, ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY TXDOT CONVERSION FACTOR OF LOGOI36506.

☐ INDICATED FOUND R.O.W. MONUMENT AS NOTED.

OINDICATES FOUND MONUMENT AS NOTED.

●INDICATES SET 5/8" LR. WITH THOOT ALUMINUM CAP.

\*\* The Monument described and set in this call, if destroyed during construction, may be replaced with a TXDOT Type ii Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TXDOT.

THEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ON THE GROUND SURVEY MADE UNDER MY SUBERVISION AND TO THE BEST OF MY KNOW FOR AS TRUE AND CORRECT.

WILLIAM C. BODEN R.P.L.S.

No.1932

LINE	BEARING	7	DISTANCE
L1	N 65'28'45"		3.63′
L2	S 39' 43' 50"	Ξ	25.98'
L3	S 72"09'59"		22.45
L4	S 87' 23' 58"	Ξ	5.28
L5	S 00°05'49" \	V	13.02

A property description of even data herewith accompanies this parcelplat.

Pronimatric data, from periol mapping, shown hereon was provided by TxDOT, unless otherwise noted.

SHEET 4 OF 4

PARCEL 1.H. 635

DALLAS COUNTY, TEXAS NOVEMBER 8, 2004 ROW C.S.J. No. 2374-01-152 ACCOUNT: 9118-01-038 SCALE: I" = 100'

### MINUTE ORDER EXHIBIT T PAGE 5 OF 5

## SPECIAL CLAUSE EXHIBIT

Access will be permitted to the north remainder abutting the highway facility of the foregoing property description.

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## MINUTE ORDER EXHIBIT U PAGE 1 OF 3

November 8, 2004

Update: January 21, 2005

COUNTY:

DALLAS

HIGHWAY:

I.H. 635

ROW CSJ:

2374-01-152

DGN CSJ:

2374-01-068

ACCOUNT: 911

9118-01-038

#### **Description for Parcel 24**

Being a 1,490 square foot tract of land situated in the Mary Brown Survey, Abstract No. 159, Dallas County, Texas and conveyed to W.O. Bankston Paint and Body, Inc. as recorded in Volume 97095, Page 00001 of the Deed Records of Dallas County, Texas, said 1490 square foot tract of land situated in the City of Farmers Branch and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 1/2" iron rod found marking the most easterly northeast corner of that certain tract of land described in deed to W.O. Bankston Nissan, Inc. as recorded in Volume 2003123, Page 08399 of said deed records, common with the northwest corner of said W.O. Bankston Paint and Body Tract;

THENCE S 00°05'49" W, along a common west line of said W.O. Bankston Paint and Body tract and the common east line of said W.O. Bankston Nissan tract, a distance of 496.92 feet to a 1/2" iron rod found marking the southeast corner of said W.O. Bankston tract, common with the southwest corner of said W.O. Bankston Paint and Body, for the **POINT OF BEGINNING** in the north line of I.H. 635 Right-of-Way;

- (1) THENCE N 00°05'49" E, along said common line, a distance of 13.02 feet a 5/8" iron rod with an aluminum cap stamped "TxDOT" set\*\*;
- (2) THENCE S 87°23'58" E, a distance of 187.05 feet to a 5/8" iron rod with an aluminum cap stamped "TxDOT" set\*\*, in the north line of I.H. 635 Right-of-Way;
- (3) THENCE S 87°22'46" W, along the existing north line of I.H. 635 Right-of-Way, a distance of 135.91 feet to a "X" cut found;
- (4) THENCE N 88°07'19" W, along the existing north line of I.H. 635 Right-of-Way, a distance of 51.14 feet to the **POINT OF BEGINNING**, and containing 1490 square feet of land, more or less.

# MINUTE ORDER EXHIBIT U PAGE 2 OF 3

November 8, 2004

Update: January 21, 2005

COUNTY:

**DALLAS** 

HIGHWAY:

I.H. 635

ROW CSJ:

2374-01-152

DGN CSJ:

2374-01-068

ACCOUNT:

9118-01-038

### Description for Parcel 24

\*\* The Monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right-of-Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Basis of Bearings is based on the Texas State Plane Coordinate System, NAD 83 (1993 Adj.) North Central Zone, all distances and coordinates shown are surface and may be converted to grid by dividing by TxDOT conversion factor of 1.000136506.

Access is allowed to the transportation facility from the adjacent property.

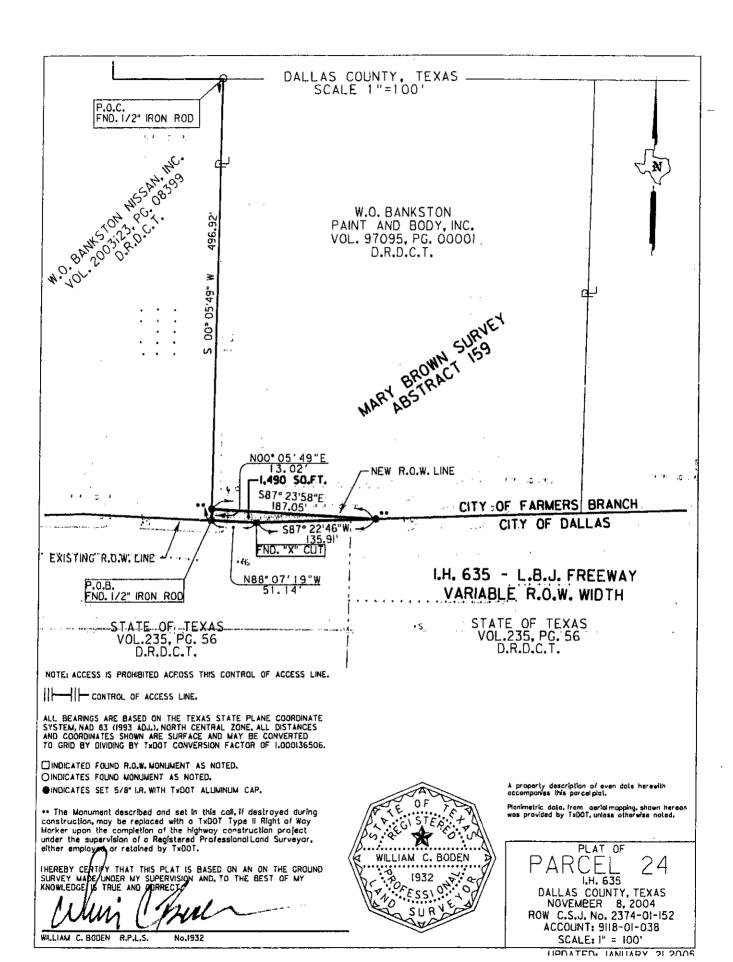
A parcel plat of even date herewith accompanies this property description.

William C. Boden, R.P.L.S.

Registered Professional Land Surveyor

Texas Registration No. 1932

Carter Burgess Inc. 7950 Elmbrook Dr Dailas, Texas 75429 214-638-0145 January 21, 2005



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### MINUTE ORDER EXHIBIT V PAGE 1 OF 3

County:

Dallas

Highway:

I.H. 635

ACCOUNT: 9118-01-036

R.O.W. CSJ: 2374-02-115

April 9, 2004

## Description for Parcel 12

BEING a 35,184 square feet tract of land situated in the T. Thomas Survey, Abstract No. 1461, Dallas County, Texas, and being a part of Tract 2, of Faulkner Corners No. 2, an addition to the City of Mesquite as recorded in Volume 83007, Page 2365, of the Deed Records of Dallas County, Texas and also being that tract as conveyed to Ashiq A. Kanji as recorded in Volume 94116, Page 3046, of the Deed Records of Dallas County, Texas, said 35,184 square feet being more particularly described by metes and bounds as follows:

COMMENCING at a point on the north line of said Ashiq A. Kanji tract, said point also being the southeast corner of a tract as conveyed to Windridge Court, Ltd. as recorded in Volume 2002151, Page 8221, of said Deed Records, from which an "X" found in concrete bears North 40 degrees 12 minutes 23 seconds West, a distance of 1.05 feet;

THENCE South 44 degrees 18 minutes 13 seconds West, along the common line of said Windridge Court Ltd. tract, and said Kanji tract, a distance of 300.19 feet to an "X" in concrete set for corner on the new right of way line of I.H. 635 and the beginning of a control of access line and being the POINT OF BEGINNING;

- 1) THENCE South 46 degrees 51 minutes 03 seconds East, along the new right of way line of I.H. 635 and a control of access line, a distance of 68.58 feet to a \*\*5/8" iron rod with TxDOT cap set for corner;
- 2) THENCE South 55 degrees 33 minutes 30 seconds East, continuing along the new right of way line of I.H. 635 and a control of access line, a distance of 111.73 feet to a \*\*5/8" iron rod with TxDOT cap set for corner;
- 3) THENCE South 64 degrees 15 minutes 54 seconds East, continuing along the new right of way line of I.H. 635 and a control of access line, a distance of 114.20 feet to a \*\*5/8" iron rod with TxDOT cap set for corner at the intersection of the new right of way line of I.H. 635 and the existing right of way line of I.H. 30 and being the end of this control of access line;
- 4) THENCE South 53 degrees 53 minutes 26 seconds West, along the existing right of way line of I.H. 30, a distance of 227.35 feet to a TxDOT brass monument found at the intersection of the existing right of way line of I.H. 30 with the existing right of way line of I.H. 635, said point also being the southwest corner of said Kanji tract;
- 5) THENCE North 21 degrees 22 minutes 54 seconds West, along the existing right of way line of I.H: 635, a distance of 273.27 feet to the northwest corner of said Ashiq A. Kanji tract and the southwest corner of said Windridge Court, Ltd. tract;

#### MINUTE ORDER EXHIBIT V PAGE 2 OF 3

April 9, 2004

County:

Dallas

Highway:

I.H. 635

R.O.W. CSJ: 2374-02-115

ACCOUNT: 9118-01-036

#### Description for Parcel 12

6) THENCE North 44 degrees 18 minutes 13 seconds East, leaving the existing right of way line of I.H. 635, along the common line of said Windridge Court. Ltd. tract and Kanii tract. a distance of 54.78 feet to the POINT OF BEGINNING and containing 35,184 square feet [0.8077 ac.] of land, more or less

A plat at even survey date herewith accompanies this legal description.

\*\* The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access is prohibited across the "Control of Access Line" to the highway facility from the adiacent property.

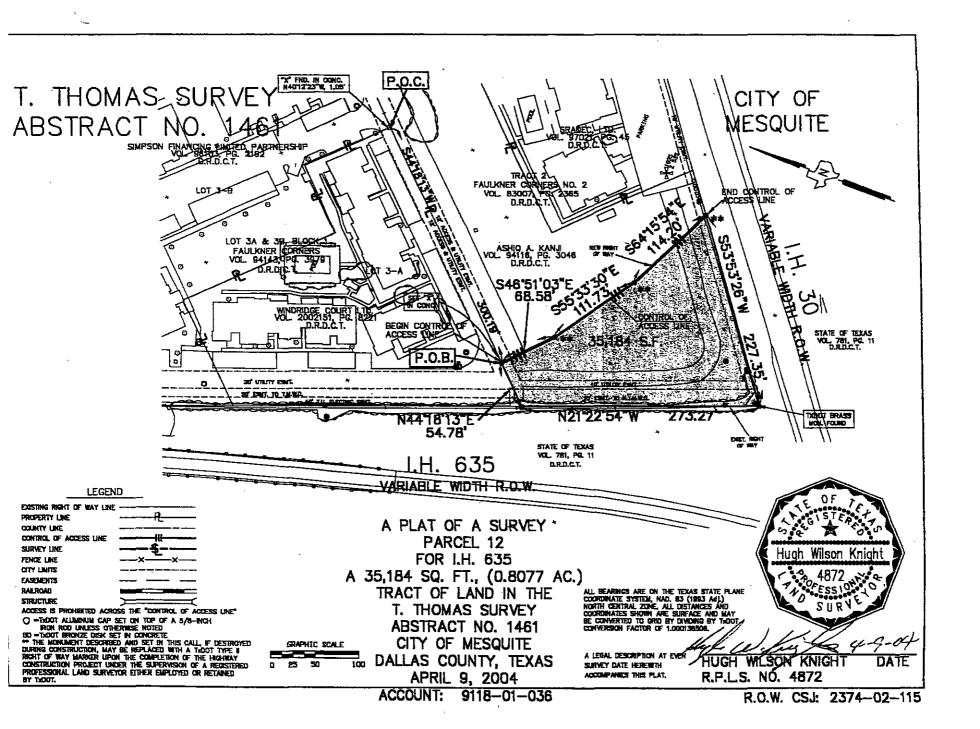
All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83 (1993 Adi.). North Central Zone. All coordinates shown are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1,000136506.

Hugh Wilson Knight, R.P.L.S.

Date

Texas Registration No. 4872

Douphrate & Associates, Inc. 2235 Ridge Road, Suite 200 Rockwall, Texas 75087 Ph. (972) 771-9004



#### MINUTE ORDER EXHIBIT W PAGE 1 OF 3

April 9, 2004

County:

**Dallas** 

Highway:

I.H. 635

R.O.W. CSJ: 2374-02-115

ACCOUNT: 9118-01-036

Description for Parcel 17

BEING a 30,943 square feet tract of land, more or less, in the T. Thomas Survey, Abstract No. 1461 (21,800 square feet) and the I. Thomas Survey, Abstract No. 1501 (9,143 square feet), Dallas County, Texas, and being a part of that tract as conveyed to White Property Co., No. 2, Ltd. as recorded in Volume 2001041, Page 4391 of the Deed Records of Dallas County, Texas. said 30,943 square feet being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod found on the west right of way line of Childress Avenue at the southeast corner of said White Property Co., No. 2, Ltd. tract, said point also being the northeast corner of a tract as conveyed to State Street Bank and Trust Company of Connecticut as recorded in Volume 91134. Page 1078, of said Deed Records, and also being Lot 13 of a Correction Plat of The Emporium, Block B, Lot 13 and 14 an addition to the City of Mesquite, as recorded in Volume 91207, Page 1646, of the Deed Records of Dallas County, Texas;

THENCE South 89 degrees 08 minutes 50 seconds West, leaving the existing right of way line of Childress Avenue, a distance of 258.80 feet to a \*\*5/8" iron rod with TxDOT cap set for corner at the point of intersection of the existing right of way line of I.H. 635 with the new right of way line of I.H. 635 and also being the southwest corner of said White Property Co., No. 2, Ltd. tract and the northwest corner of said State Street Bank and Trust Company of Connecticut tract, from which a 1/2" iron rod found bears South 87 degrees 52 minutes 27 seconds West, a distance of 1.09 feet and being the POINT OF BEGINNING;

- 1) THENCE North 07 degrees 59 minutes 11 seconds West, along the existing right of way line of I.H. 635, a distance of 1,031.82 feet to the northwest corner of said White Property Co.. No. 2, Ltd. tract, said point also being the southwest corner of a tract as conveyed to Texas Power and Light Company of Dallas as recorded in Volume 466, Page 107 of said Deed Records:
- 2) THENCE North 71 degrees 13 minutes 57 seconds East, leaving the existing right of way line of I.H. 635, along the common line of said White Property Co., No. 2, Ltd. tract and said Texas Power and Light Company of Dallas tract, a distance of 61.06 feet, to a 5/8" iron rod with TxDOT cap set for corner on the new right of way line of I.H. 635 and the beginning of a control of access line;

### MINUTE ORDER EXHIBIT W PAGE 2 OF 3

County:

Dallas

Highway:

I.H. 635

ACCOUNT: 9118-01-036

R.O.W. CSJ: 2374-02-115

April 9, 2004

#### Description for Parcel 17

3) THENCE South 04 degrees 41 minutes 46 seconds East, along the new right of way line of LH. 635 and a control of access line, a distance of 1,044.96 feet to the end of this control of access line and the POINT OF BEGINNING and containing 30,943 square feet [0,7104 ac.] of land, more or less.

A plat at even survey date herewith accompanies this legal description.

\*\* The monument described and set in this call, if destroyed during construction, may be replaced with a TxDOT Type II Right of Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

Access is prohibited acre the "Control of Access Line" to the highway facility from the adjacent property.

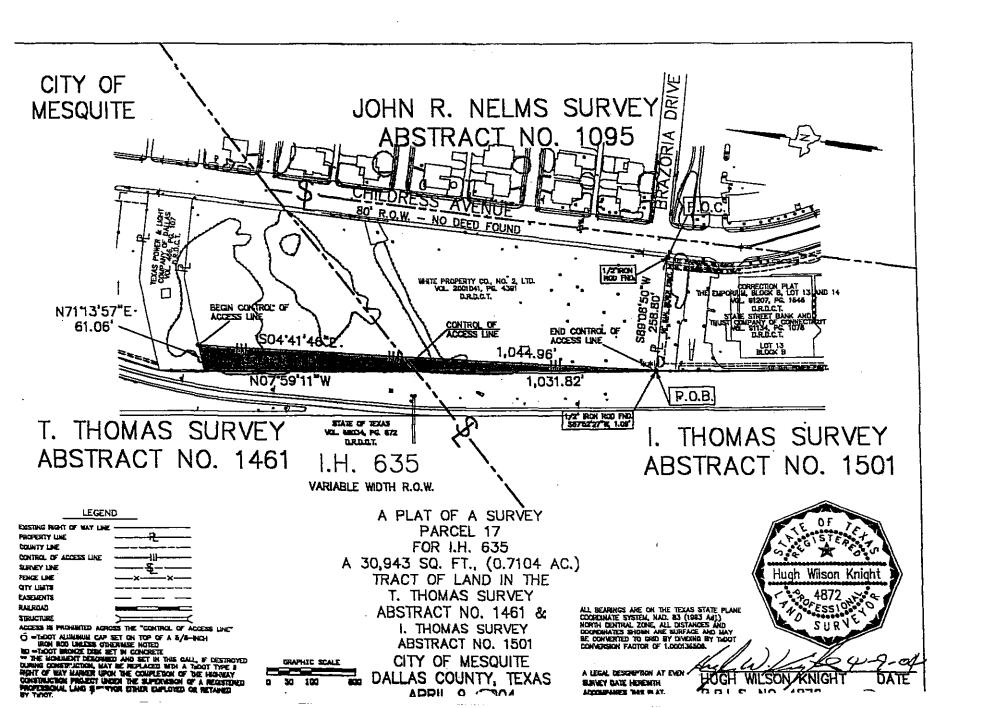
All bearings are based on the Texas State Plane Coordinate System, N.A.D. 83 (1993 Adj.). North Central Zone. All coordinates shown are surface and may be converted to grid by dividing by the TxDOT conversion factor of 1.000136506.

Hugh Wilson Knight, R.P.L.S.

Date

Texas Registration No. 4872

Douphrate & Associates, Inc. 2235 Ridge Road, Suite 200 Rockwall, Texas 75087 Ph. (972) 771-9004



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Highway:

Loop 49

Limits:

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From: State Highway 31, 2.0 Miles East of F.M. 2661, South

To: State Highway 155, 2.1 Miles North of F.M. 2868

County: Account No. SMITH 8010-02-070

CSJ:

3487-01-011

#### **Property Description for Parcel 7**

BEING 20.10 acres of land situated in Section 25 of the T. Quevado Survey, Abstract No. 18, Smith County, Texas, and being out of that certain called 89.431 acre tract described as Exhibit "A" in a deed from Sibyl McKee Roberson to Marcus Roberson, et al., dated August 20, 1998, and recorded in Volume 4449, Page 85, of the Deed Records of Smith County, Texas, said 20.10 acre tract to be more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron bar (found) at an interior ell corner of the above mentioned 89.431 acre tract, being at the southeast corner of that certain called 12.328 acre tract described in a deed to Deal Folmar et ux, and recorded in Volume 6103, Page 335, said point of beginning also being located 270.09 feet left of and at a right angle from Centerline Station 903+40.42, and being located at the coordinates of 6,790,944.56 feet North and 2,927,002.45 feet East;

1. THENCE North 01° 57' 36" West, for a distance of 63.58 feet, with the most northerly west boundary line of said 89.431 acre tract, and with the east boundary line of the above mentioned 12.328 acre tract, to a ½" fron rod (set) for comer in the proposed northeast right-of-way line of Loop 49, being in a control of access line, and being in a curve (to the left), from said iron rod, the most northerly northwest comer of said 89.431 acre tract bears North 01° 57' 36" West, 712.19 feet:

THENCE in a southeasterly direction, with the proposed northeast right-of-way line of Loop 49, and with a control of access line, as follows:

- 2. THENCE in a southeasterly direction, for an arc distance of 233.26 feet, with the above mentioned curve (to the left), whose radius is 2789.79 feet, whose central angle is 04° 47' 26", and whose long chord is South 63° 44' 23" East, a distance of 233.19 feet, to a TYPE II Right-Of-Way Monument (set) for corner;
- 3. THENCE South 66° 08' 06" East, for a distance of 450.65 feet, to a TYPE II Right-Of-Way Monument (set) for corner at the beginning of a curve (to the right);
- 4. THENCE in a southeasterly direction, for an arc distance of 89.31 feet, with the above mentioned curve (to the right), whose radius is 6054.58 feet, whose central angle is 00° 50′ 43″, and whose long chord is South 65° 42′ 44″ East, a distance of 89.31 feet, to a ½″ Iron rod (set) for corner in the east boundary line of said 89.431 acre tract, and being in the west boundary line of that certain called 35 ½ acre tract described in a deed to Holly Hitt Ezell, et al., and recorded in Volume 7267, Page 255;
- 5. THENCE South 01° 38' 40" East, for a distance of 730.19 feet, with the east boundary line of said 89.431 acre tract, with the west boundary line of the above mentioned 35 ¼ acre tract, and with the west boundary line of that certain called 2.455 acre tract described in a deed to Steven Wayne Hutchins, et al., and recorded in Volume 2231, Page 288, to a TYPE II Right-Of-Way Monument (set) for corner in the proposed southwest right-of-way line of Loop 49, being in a control of access line, and being in a curve (to the left);

THENCE in a northwesterly direction, with the proposed southwest right-of-way line of Loop 49, and with a control of access line, as follows:

6. THENCE in a northwesterly direction, for an arc distance of 330.72 feet, with the above mentioned curve (to the left), whose radius is 5654.08 feet, whose central angle is 03° 21' 05", and whose long chord is North 64° 27' 35" West, a distance of 330.68 feet, to a TYPE !! Right-Of-Way Monument (set) for corner;

- 7. THENCE North 66° 08' 06" West, for a distance of 547.90 feet, to a TYPE II Right-Of-Way Monument (set) for corner at the beginning of a curve (to the right);
- 8. THENCE in a northwesterly direction, for an arc distance of 1098.73 feet, with the above mentioned curve (to the right), whose radius is 3349.06 feet, whose central angle is 18° 47' 49", and whose long chord is North 56° 44' 12" West, a distance of 1093.81 feet, to a ½" iron rod (set) for corner in the most westerly north boundary line of said 89.431 acre tract, and being in the south boundary line of that certain called 24.88 acre tract described as the Second Tract in a deed to William Lee Tomlinson et ux, and recorded in Volume 1128, Page 94;
- 9. THENCE North 88° 09' 46" East, for a distance of 306.05 feet, with the most westerly north boundary line of said 89.431 acre tract, and with the south boundary line of the above mentioned 24.88 acre tract, to a %" iron rod (found) at the southeast corner of said 24.88 acre tract, and being at the southwest corner of said 12.328 acre tract;
- 10. THENCE North 88° 47' 00" East, for a distance of 686.85 feet, with the most westerly north boundary line of said 89.431 acre tract, back to the place of beginning and containing 20.10 acres of land.

#### Notes:

- 1. All bearings and distances, coordinates, and areas are based on the Texas Coordinate System, North Central Zone, NAD 83. The theta angle at the P.O.B. is 1°41′29".
- 2. All distances and coordinates shown are surface, using a TXDOT factor of 1.00012. To return to grid, multiply by 0.999880014.
- 3. All ½" iron rods and Type II right-of-way monuments described herein as "set", are pending TxDot right-of-way approval and/or survey permission before actual placing on the ground.
- 4. Access is prohibited across the "Control of Access Line" to the transportation facility from the adjacent property.

See Exhibit Plat "B" prepared even date.

I, K. L. Kilgore, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from surveys made on the ground under my supervision during the months of October 2003 through February 2004.

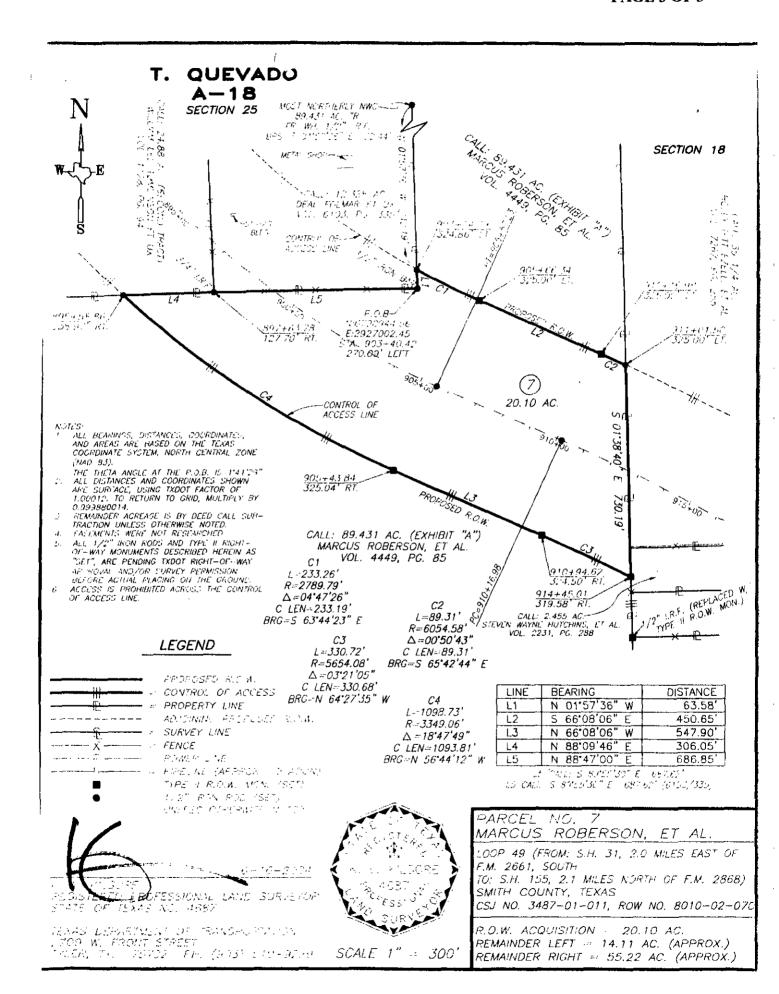
GIVEN UNDER MY HAND AND SEAL, this the 16th day of June 2004.

Registered Professional Land Surveyor State of Texas No. 4687

Kilgore

Prepared by: K. L. KILGORE & COMPANY INC. 6712 PALUXY DRIVE TYLER, TX. 75703 PH. (903) 581-7800

TEXAS DEPARTMENT OF TRANSPORTATION 2703 W. FRONT STREET TYLER TX. 75702 903) 510-9141



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